

From:

(b)(6);(b)(7)(C)

To:

Cc:

Subject:

RE: DRAFT RFI

Date:

Monday, January 30, 2017 7:47:15 AM

(b)(6);(b)(7)(C) Thank you for your prompt and thorough comments regarding the proposed RFI.

It's clear that ideas that haven't been previously considered will be difficult to come by. I look forward to discussing this further later in the week. I'll touch base as soon as I get a handle on my calendar. Thanks again, (b)(6);(b)(7)(C)

(b) (5)

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(b) (5)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: BORKOWSKI, MARK S

Sent: Thursday, January 26, 2017 4:46 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: DRAFT RFI

Thanks, (b)(6);(b)(7)(C) I think it will be interesting to see what ideas might be out there. We've had trouble ourselves coming up with things that would incentivize other types of financing (we've had similar questions about infrastructure like towers, but we've not found other markets in some of our more remote areas!) Maybe some of these outside entities will perceive opportunities we haven't yet discerned—especially if we can get outside of some of the “traditional” sources (most of whom we've spoken to, including about some of the ideas here).

BW8 FOIA CBP 000404

For what it's worth, cost and schedule performance have not been issues in the past, once we got started—the actual construction generally turns out not to be so hard if we can get past the start up transients. So while it will be useful to get ideas about incentives, I'm not sure that'll be where we get the biggest bang for our buck from innovative thoughts. Still worth asking, of course.

It might also be interesting to see if folks have any ideas about the other types of issues that can constrain us: how to mitigate concerns of local residents who object to the aesthetics of a barrier; how to handle environmental concerns; how to facilitate access to both sides of the fence in a secure way that minimizes loss of property value to private owners; how to provide for maintenance and repair that is timely and cost-effective...

I'll think on this some more but I wanted to get back to you with some initial thoughts...

See you next week,
Mark

From: (b)(6);(b)(7)(C)

Sent: Thursday, January 26, 2017 3:26 PM

To: (b)(6);(b)(7)(C) BORKOWSKI, MARK S
(b)(6);(b)(7)(C)

Subject: DRAFT RFI

(b)(6);(b)(7)(C) Mark, Part of my task with CBP is to explore alternative approaches to constructing the wall. Below is a rough draft seeking information. I'd appreciate your thoughts on this. I'm in Seattle until Saturday but back in the office on Monday morning. I wanted to get together with you both right away but my first two days were taken up by meetings and in processing tasks. Please take a quick look and I'll try to set up a short meeting early next week. Thanks, (b)(6);(b)(7)(C)

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- Public private partnership models for financing, constructing and maintaining the wall
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effectively. This would include, but is not limited to whether this endeavor should be a contract or grant, public private partnership or financial assistance program; necessary length of an agreement, benefits of one partner vs. many different partners on various areas of the border and major deviations from federal law or regulation necessary to make this innovation possible.

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From: (b)(6);(b)(7)(C) on behalf of (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: (b)(6);(b)(7)(C) [755N-EXEC-CR-NP](#)
Attachments: [FW: Strategies for Addressing HAC/SAC Requirements Discussion](#)
[20M Reprogramming Wall Regs_03282017 v4.xlsx](#)

All times listed are in the following time zone:(UTC-05:00) Eastern Time (US & Canada)

From: (b)(6);(b)(7)(C)
Sent: Friday, March 31, 2017 11:05:10 AM
To: (b)(6);(b)(7)(C) [755N-EXEC-CR-NP](#)
Subject: Strategies for Addressing HAC/SAC Requirements Discussion
When: Monday, April 03, 2017 11:00 AM-12:00 PM
Where: NP 755N CR 726 Phone: (b)(7)(E) PIN: (b)(7)(E)

HAC/SAC Reprogramming Requirements (as of 3/29/2017)							
Item Number	Requirement	Source: HAC or SAC	Responsible Party	Suspense Date (Internal)	Suspense Date (External)*	Status	Assumptions
1	The results of the source selections for Border Wall System prototypes.	HAC	BPAM in coordination with OA	(b) (5)	(5)	Not Started	(b) (5)
2	The evaluation results for the Border Wall System prototypes, including the criteria for selecting one or more prototypes for the proposed initial Border Wall System segment.	HAC	BPAM in coordination with USBP	(b) (5)	(5)	Not Started	(b) (5)
3	CBP's long-term goals and plan for border security between the ports of entry along the Southwest border and one or more long-term, multi-layered solutions for achieving those goals and plans, informed by alternatives analyses and including proposed laydowns of border infrastructure.	HAC	USBP in coordination with BPAM ('Proposed laydowns of border infrastructure' is BPAM responsibility)	USBP to provide		Not Started	TBD
4	The current threat assessment along the Southwest Border and how it relates to CBP's long term border security goals and proposed solutions.	HAC	USBP	USBP to provide		Not Started	TBD
5	An independent cost estimate for any proposed solutions.	HAC	BPAM	TBD		Not Started	(b) (5)
6	Complete an analysis of alternatives to determine the most appropriate and effective solutions for securing the border.	SAC	USBP	USBP to provide		Not Started	TBD
7	Detailed cost-benefit analysis	SAC	BPAM in coordination with USBP	TBD		Not Started	(b) (5)
8	Study has to effectively measure the impact of the existing fencing along the border as recommended by GAO	SAC	USBP	USBP to provide		Not Started	TBD

*External due date is based on one week clearance time through appropriate channels

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: FW: BAA Memo
Date: Monday, March 06, 2017 2:34:18 PM
Attachments: (b) (5)

From: (b)(6);(b)(7)(C)
Sent: Monday, March 06, 2017 2:18:37 PM
To: (b)(6);(b)(7)(C)
Subject: FW: BAA Memo

From: (b)(6);(b)(7)(C)
Sent: Monday, March 06, 2017 2:16 PM
To: (b)(6);(b)(7)(C)
Subject: BAA Memo

Here is a bootleg copy. (b)(6);(b)(7)(C) is sending it to C1 and C2 shortly. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
Associate Chief Counsel - Trade and Finance
Office of the Chief Counsel
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

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From: (b)(6);(b)(7)(C)
To: BORKOWSKI, MARK S.; CALVO, KARL H.; (b)(6);(b)(7)(C) FLANAGAN, PATRICK S.;
(b)(6);(b)(7)(C) FRIEL, MICHAEL J.; (b)(6);(b)(7)(C)
KOLBE, KATHRYN; LOWRY, KIM M.; (b)(6);(b)(7)(C) PROVOST, CARLA (USBP); (b)(6);(b)(7)(C)
DCC10A-RMB-COMMISSIONER-CN-RM; (b)(6);(b)(7)(C)
Subject: WALL IPT: Solicitation of Agenda Items
Date: Monday, March 27, 2017 9:37:12 AM

All –

In prep for the upcoming Wall IPT, scheduled for Wednesday, March 29 at 4 pm EST, we are soliciting agenda items.

Please send (b)(6);(b)(7)(C) any items that you would like discussed during the meeting by noon EST Tuesday, March 28. If your agenda item(s) will require your office to present materials, please indicate that in your response as well.

Based on last week’s discussion, here are the agenda items that are already being considered for discussion.

- HAC & SAC Reprogramming Requirements – Plan & Responsible Parties | OFAM & USBP
- Source Selection Schedule | OFAM & OA
- Other Messaging Sub-IPT Updates | OPA

As a reminder, the following action items are currently being tracked as part of the Wall IPT discussion.

	Date Assigned	Item	Owner	Status
	2/23	Finalize operational requirements by 4/1	USBP	In Progress
	3/23	Schedule briefing with C1/C2 on completed requirements	USBP	Complete – Scheduled for 4/7
	3/22	“The Plan” Narrative	OFAM	Completed; Draft being routed for final concurrence
	3/23	Procurement Schedule (after prototype)	OFAM	In Progress – ECD 4/14
	3/23	Determine the appropriate approach to the LCCE	OC	In Progress
	3/23	Leverage one IPT per month to use as Acquisition Oversight body to include the Department	OFAM	In Progress – First Meeting week of 4/24
	3/23	Red team potential legal challenges	OCC	Not Started

Best,

(b)(6);(b)(7)(C)

Chief of Staff

Office of Facilities and Asset Management

Mobile: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
To: BORKOWSKI, MARK S; (b)(6);(b)(7)(C)
Cc: CALVO, KARL H.; (b)(6);(b)(7)(C)
Subject: RE: FINAL SOWs :)
Date: Thursday, March 16, 2017 6:19:18 PM

Mr. Burkowski,

I did not say oh well. What I said is that part of this effort is for us to be here to answer the contractors questions.

Do you want me and my team to spend more time developing greater detail regarding a reinforced concrete wall? Because we ARE the SMEs in this arena.

As I said in my previous email we are confident our current language for this prototype effort.

Your call sir.

(b)(6);(b)(7)(C)

From: BORKOWSKI, MARK S
Sent: Thursday, March 16, 2017 6:14:25 PM
To: (b)(6);(b)(7)(C)
Cc: CALVO, KARL H.; (b)(6);(b)(7)(C)
Subject: RE: FINAL SOWs :)

I have been around this track a few times, so if you don't mind, I think it's prudent to anticipate the questions and he protests based on ambiguity.

The fact that we know what we mean doesn't help when a judge agrees with someone else's interpretation.

Normally, this would not be an issue because we wouldn't have two RFPs that are hopefully mutually exclusive. What happens when one person thinks a concept belongs in the concrete RFP, but a different person thinks it belongs in the other one?

And the right response is NOT to say "oh, well--let's just wait for questions."

So I'm asking the question now. How about just giving me the answer?

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 16, 2017 6:03:32 PM
To: BORKOWSKI, MARK S; (b)(6);(b)(7)(C)
Cc: CALVO, KARL H.; (b)(6);(b)(7)(C)
Subject: RE: FINAL SOWs :)

Mr. Burkowski,

If you tell me you want a reinforced concrete wall I provide that to you based off of your

requirements, plans, and specifications. Considering this is a DB effort the contractors will take our requirements and provide a design. If they have questions during the RFP process they will ask and we will provide answers to all of the prospective bidders.

If we want CMU block we can specify that in our requirements, but we know we expect reinforced concrete.

In other words, this is being over thought. This will not be perfect, that is part of the nature of a DB effort, but that is why will answer the contractors' questions.

We could take the time and specific the PSI of the concrete, size of reinforcing bar, additives to the concrete, etc. I believe our current is sufficient for this effort.

At this point it is about how much time do we want to add to the schedule.

Thanks,

(b)(6);(b)(7)(C)

From: BORKOWSKI, MARK S

Sent: Thursday, March 16, 2017 4:36:59 PM

To: (b)(6);(b)(7)(C)

Cc: CALVO, KARL H.; (b)(6);(b)(7)(C)

Subject: RE: FINAL SOWs :)

Thanks.

I'd like the experts to think about this question as we finalize whatever this language should be:

When we say "solid concrete," I think we all mean that the faces are solid and made of concrete. However, I think we also understand that this would include structures that are reinforced with materials other than concrete (like steel reinforcement) as well as structures that are "hollow" or have stringers on the inside.

So, we would call a cinder block "solid concrete," even though it has a hollow inside (and, of course, as long as the solid face is pointed in the correct direction).

I just want to ensure that everyone will recognize that as what we mean by "solid concrete." If you think there might be ambiguity, we may need to expand the definition of solid concrete to ensure we're perfectly clear. Or we may need to say something like "a concrete structure with solid facings," or something like that.

What do you folks think?

From: (b)(6);(b)(7)(C)

Sent: Thursday, March 16, 2017 3:48 PM

To: BORKOWSKI, MARK S (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: CALVO, KARL H. <(b)(6);(b)(7)(C)>

Subject: RE: FINAL SOWs :)

ALCON:

We will be including the highlighted language below verbatim.

Thank you,

(b)(6);(b)(7)(C)

From: BORKOWSKI, MARK S

Sent: Thursday, March 16, 2017 3:02 PM

To: (b)(6);(b)(7)(C)

Cc: CALVO, KARL H. (b)(6);(b)(7)(C)

Subject: RE: FINAL SOWs :)

Thanks.

I think we need some clear language in the Prototype Task part of the SOW to make clear that we are considering concepts that do not fit within the requirements of the concrete RFP. We will have to be explicit. We need words something along the lines of:

"Prototypes constructed under this task order must offer designs that are alternatives to solid concrete walls. Alternatives may include, but are not limited to, designs that have differing materials or may not be entirely solid."

If we DON'T do that, solid wall concepts can be proposed both here and in the other RFP. I don't think we want that.

I also think we need to capture the idea of a requirement that prevents the passage of some appropriately sized package through the wall—perhaps in the "Objective" requirement section...

(By the way, I made complementary comments on the concrete stuff—we need to be clear we want solid concrete designs there...)

Thanks,
Mark

From: (b)(6);(b)(7)(C)

Sent: Thursday, March 16, 2017 2:44 PM

To: BORKOWSKI, MARK S (b)(6);(b)(7)(C)

Cc: CALVO, KARL H. (b)(6);(b)(7)(C)

Subject: RE: FINAL SOWs :)

Im not sure about the whole RFP but here is the current version (with track changes) of the other than solid concrete SOW.

PW: (b) (7)(E)

(b)(6);(b)(7)(C)

Business Operations

OFAM / BPAM PMO

(b)(6);(b)(7)(C)(o)

(m)

(b)(6);(b)(7)(C)

From: BORKOWSKI, MARK S

Sent: Thursday, March 16, 2017 1:22 PM

To: (b)(6);(b)(7)(C)

Cc: CALVO, KARL H. (b)(6);(b)(7)(C)

Subject: RE: FINAL SOWs :)

Is the "other" RFP out for review? I haven't seen it--did I miss it somewhere?

From: (b)(6);(b)(7)(C)

Sent: Thursday, March 16, 2017 2:20:17 PM

To: (b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C) BORKOWSKI, MARK S; (b)(6);(b)(7)(C) CALVO, KARL H.;

(b)(6);(b)(7)(C)

Subject: RE: FINAL SOWs :)

Thanks (b)(6);(b)(7)(C) - im working on incorporating everything

(b)(6);(b)(7)(C)

Business Operations

OFAM / BPAM PMO

(b)(6);(b)(7)(C)(o)

(m)

(b)(6);(b)(7)(C)

-----Original Message-----

From: (b)(6);(b)(7)(C)

Sent: Thursday, March 16, 2017 1:01 PM

(b) (5)

(b) (5)

THIS COMMUNICATION MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL AND/OR SUBJECT TO THE ATTORNEY-CLIENT, ATTORNEY WORK PRODUCT AND/OR DELIBERATIVE PROCESS PRIVILEGES. THIS COMMUNICATION MAY ALSO CONTAIN CONFIDENTIAL INFORMATION, AND IS NOT FOR RELEASE, REVIEW, RETRANSMISSION, DISSEMINATION OR USE BY ANYONE OTHER THAN THE INTENDED RECIPIENT. PLEASE NOTIFY THE SENDER IF THIS EMAIL HAS BEEN MISDIRECTED AND IMMEDIATELY DESTROY ALL ORIGINALS AND COPIES OF THE ORIGINAL. ANY DISCLOSURE OF THIS COMMUNICATION MUST BE APPROVED BY THE OFFICE OF CHIEF COUNSEL, U.S. CUSTOMS AND BORDER PROTECTION.

-----Original Message-----

From: (b)(6);(b)(7)(C)

Sent: Thursday, March 16, 2017 9:09 AM

To: (b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: FINAL SOWs :)

Per your request - here are the final versions. Clause in last paragraph was updated which was the last change (for now) :)

(b) (5)

(b) (5)

From: (b) (6)
To: (b)(6);(b)(7)(C) BORKOWSKI, MARK S; (b)(6);(b)(7)(C)
Cc: (b) (6)
Subject: FW: Wall IDIQ with Innovative Prototype - CPO 9 Mar 17 915 AM
Date: Thursday, March 09, 2017 9:39:07 AM
Attachments: (b) (5)

Pls see attached updated Source Selection strategy paper. Thank you. – (b) (6)

From: (b) (6)
Sent: Thursday, March 09, 2017 9:30 AM
To: (b)(6);(b)(7)(C)
Cc: (b) (6)
Subject: Wall IDIQ with Innovative Prototype - CPO 9 Mar 17 915 AM

Good morning CBP procurement team –

We met with (b) (6) this morning (b) (5)

(b) (6)

(b) (6)

(b) (5)

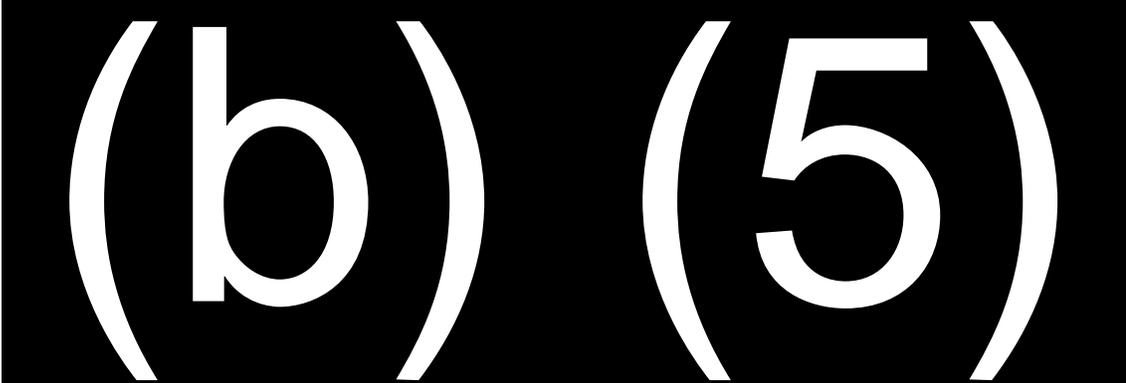
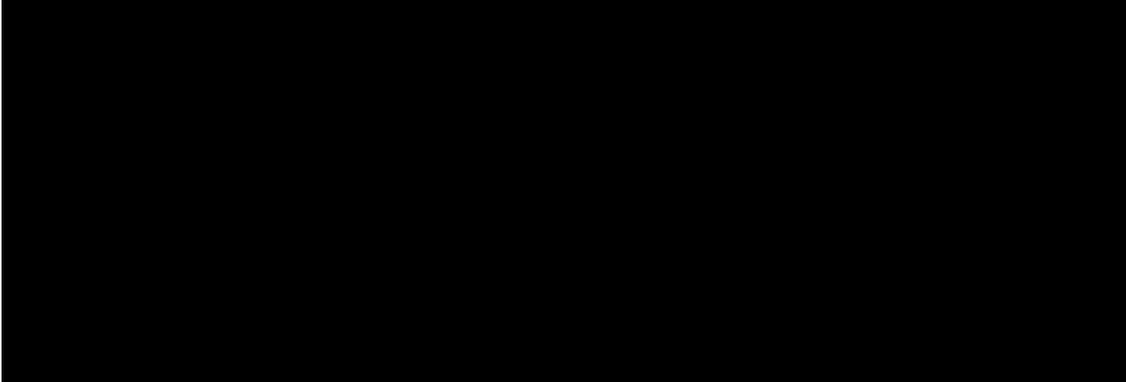
Thanks –

(b) (6)

From: [BORKOWSKI, MARK S](#)
To: (b)(6);(b)(7)(C)
Subject: Wall briefing package
Date: Monday, February 13, 2017 8:24:07 AM

(b)(6);(b)(7)(C)

As you requested, I came up with a few questions on this briefing:

1. 
2. 
3. 
4. 
5. 
6.
7.
8.
9.

v/r,
Mark

Mark S. Borkowski
Chief Acquisition Officer and
Component Acquisition Executive
Customs and Border Protection

(b) (5)

From: (b)(6);(b)(7)(C)
To: [BORKOWSKI, MARK S](#)
Subject: RE: DRAFT RFI
Date: Monday, January 30, 2017 2:51:24 PM

Mark, Thanks for your quick response. I'd like to come over to see you later in the week and discuss this further. I have meetings Thursday morning and a drug test Wednesday morning. Otherwise, I'm flexible. Thanks again, (b)(6);(b)(7)(C)

From: BORKOWSKI, MARK S
Sent: Thursday, January 26, 2017 4:46:05 PM
To: (b)(6);(b)(7)(C)
Subject: RE: DRAFT RFI

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To: (b)(6);(b)(7)(C) BORKOWSKI, MARK S
(b)(6);(b)(7)(C)
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(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C) BORKOWSKI, MARK S
Subject: RE: DRAFT RFI
Date: Thursday, January 26, 2017 3:35:49 PM

Will do, (b)(6);(b)(7)(C)

Best, (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Chief Counsel
U.S. Customs and Border Protection

(b)(6);(b)(7)(C) (Office)
(b)(6);(b)(7)(C) (Mobile)
(b)(6);(b)(7)(C) (Fax)

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Sent: Thursday, January 26, 2017 3:26 PM
To: (b)(6);(b)(7)(C) BORKOWSKI, MARK S
(b)(6);(b)(7)(C)
Subject: DRAFT RFI

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DHS CBP seeks white papers from companies, not for profits, educational institutions, consortiums, and other entities with innovative ideas to design, finance and complete construction of physical infrastructure, known as the "wall", on the southwest land border of the United States. The infrastructure will add to the approximately 650 miles of that which was previously constructed, and will complete the physical barrier along the southwest land border. CBP is interested in ideas including, but not limited to:

- Public private partnership models for financing, constructing and maintaining the wall
- Multi or dual use functions for the wall and/or wall corridor
- Financing of the wall construction within the limits of federal fiscal law
- Business incentives that could be included in any contract or business deal to provide improved performance, shorter schedule, and/or lower cost.
- Tools and methods to determine the best type of wall for each section of the southwest border. This would include the ability to tradeoff security capability, acquisition, life cycle

cost, useful life and other factors.

- Proposed business/contract terms and conditions that would optimize risk avoidance for DHS CBP and its business partners in providing strong security quickly, efficiently, and effectively. This would include, but is not limited to whether this endeavor should be a contract or grant, public private partnership or financial assistance program; necessary length of an agreement, benefits of one partner vs. many different partners on various areas of the border and major deviations from federal law or regulation necessary to make this innovation possible.
- How to bring economic benefit and jobs to the regions (states, counties, cities, individuals) cooperating with DHS CBP on the wall project.

White papers should be no longer than 5 pages. If known, the papers should identify the largest obstacles to accomplishing the idea and proposed methods of overcoming the obstacles. Alternatives within a proposed model are encouraged.

DHS CBP may set up meetings (in person or telephonic) with respondents whose white papers contain ideas, in the opinion of DHS CBP, that have merit and value in further discussion.

DHS CBP intends to hold these meetings within 30-60 days of the response date. A response to this market research is not required to participate in future acquisitions. Similarly, DHS CBP's decision not to continue communications regarding a white paper does not prohibit that respondent from participating in future acquisitions for this program.

Respondents are encouraged to write their white papers in a manner that the content could be used by DHS CBP to assist in developing future requests for proposals. Nonproprietary responses are preferred but DHS CBP will also consider responses marked in total or in part proprietary. Please note however, that DHS CBP does not consider these responses unsolicited proposals nor does it intend to award a sole source contract from the responses to this market research notice. Therefore, nonproprietary responses are of the most value to DHS CBP as it proceeds forward with the wall.

From: (b)(6);(b)(7)(C)
To: [Redacted]
Subject: FW: Wall IDIQ with Innovative Prototype - CPO 9 Mar 17 915 AM
Date: Thursday, March 09, 2017 10:18:23 AM
Attachments: (b) (5)

(b)(6);(b)(7)(C)

Deputy Assistant Commissioner, Acquisition
Head of the Contracting Activity

Location: (b)(6);(b)(7)(C) National Place, Washington, DC

Desk: (b)(6);(b)(7)(C)

Cell: (b)(6);(b)(7)(C)

Main: (b)(6);(b)(7)(C)

From: (b) (6)

Sent: Thursday, March 09, 2017 9:30 AM

To: (b)(6);(b)(7)(C)
[Redacted]
[Redacted]
[Redacted]

Cc: (b) (6)
[Redacted]

Subject: Wall IDIQ with Innovative Prototype - CPO 9 Mar 17 915 AM

Good morning CBP procurement team –

We met with (b) (6) this morning and (b) (5)
[Redacted]
[Redacted]

(b) (5)
[Redacted]

(b) (5)
[Redacted]
[Redacted]

Thanks –

(b) (6)

From: (b) (6)
To: (b)(6);(b)(7)(C)
Subject: FW: Wall IDIQ with Innovative Prototype - CPO 8 Mar 17 430 PM
Date: Wednesday, March 08, 2017 4:51:27 PM
Attachments: (b) (5)
[image001.png](#)

My folks put the attached together based on our discussions this morning and information received this afternoon. We used Mark's original write-up and tried to preserve many of his key concepts. I have not shared this with others at CBP because I wanted to give you first shot at it. I would be happy to discuss early tomorrow morning (before they meet with the RFP development team) to help guide the discussions. I am trying to provide flexibility but guide the evaluation process to an informative, clear, and focused decision-making process. I welcome your thoughts/comments and suggestions.

Thank You!

(b) (6)

(b) (6)

Chief Procurement Officer
Management Directorate
U.S. Department of Homeland Security
Office: (b) (6)
Voice: (b) (6)
Cell: (b) (6)
Email: (b) (6)



From: (b) (6)
Sent: Wednesday, March 08, 2017 4:30 PM
To: (b) (6)
Cc: (b) (6)
Subject: Wall IDIQ with Innovative Prototype - CPO 8 Mar 17 430 PM

Revised per discussion.

V/r,

(b) (6)

From: (b)(6);(b)(7)(C)
To: [KOLBE, KATHRYN](#)
Subject: RE: RFI Responses Evaluation & Assimilation
Date: Wednesday, March 22, 2017 3:28:54 PM

That would be fine.

From: KOLBE, KATHRYN
Sent: Wednesday, March 22, 2017 3:28 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) CALVO, KARL H. (b)(6);(b)(7)(C)
BORKOWSKI, MARK S (b)(6);(b)(7)(C)
Subject: RE: RFI Responses Evaluation & Assimilation

Do you mind coming by my office?

From: (b)(6);(b)(7)(C)
Sent: Wednesday, March 22, 2017 3:20:35 PM
To: KOLBE, KATHRYN
Subject: RE: RFI Responses Evaluation & Assimilation

Kathryn, 1000 is fine. Location? (b)(6);(b)(7)(C)

From: KOLBE, KATHRYN
Sent: Wednesday, March 22, 2017 3:19 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: RFI Responses Evaluation & Assimilation

(b)(6);(b)(7)(C) How about 10am tomorrow?

Do you mind if Karl & Mark join, since we're trying to integrate this into the overall acquisition strategy?

From: (b)(6);(b)(7)(C)
Sent: Wednesday, March 22, 2017 2:04:49 PM
To: KOLBE, KATHRYN
Subject: RE: RFI Responses Evaluation & Assimilation

Kathryn, The RFI was posted while I was away and the delivery point was changed to a mailbox controlled by someone in the CPO office. On Friday I was given access to the mailbox and found approximately 75 responses. I was somewhat disappointed that most of the responses are less than helpful, e.g. "I would like to propose a wall made out of flowers. Maybe sunflowers. One that promotes peace, not fear" or, "Sentry guns that shoot at movements" or "I am a construction worker and construction business owner from Ohio, My business is struggling and could use any work offered." Approximately half the responses actually included a white paper or some attachment

discussing the wall.

My plan is to set up an IPT, of a size conducive to actual collaboration, to refer any worthwhile information gleaned from the RFI to management for a decision on the way ahead. My thought is that the IPT would include two people from OFAM (Loren and an engineer) to comment on feasibility, two from the Border Patrol (Chief Martin and one other) to evaluate compatibility with operational requirements, someone from Acquisition and, possibility, someone from Science and Technology at the Department.

If any of the concepts submitted are considered to be worthwhile by management, they would be included in the requirements process and included in the basic wall design. It does not appear that we are going to get anything that could be incorporated into the prototype—primarily because of schedule. Therefore, any promising concepts would likely have to be included in any contract for actual construction of the wall.

My plan is to do a very quick review of the papers, brief this proposal to C2 regarding the IPT and get this started very soon. Since at least three of the proposed team members work for you, I'd like to include you in the process. I don't intend to bring this up in the Wall IPT meeting tomorrow but would like to get this rolling early next week. I'm open from 1000 to 1600 tomorrow if you'd like to discuss. Thanks, (b)(6);(b)(7)(C)

From: KOLBE, KATHRYN

Sent: Wednesday, March 22, 2017 9:16 AM

To: (b)(6);(b)(7)(C)

Cc: BORKOWSKI, MARK S (b)(6);(b)(7)(C)

Subject: RFI Responses Evaluation & Assimilation

(b)(6);(b)(7)(C)

Hope all is (b)(6);(b)(7)(C)

I'd like to capture your thoughts regarding how you envisioned evaluation of the feedback/papers received from the RFI you drafted. I'd like to start the conversation about how we incorporate the responses into the overall wall strategy. On the Hill most of today, but can set up a meeting, if you'd like.

VR, KK

Kathryn L. Kolbe
Executive Assistant Commissioner
Enterprise Services
U.S. Customs and Border Protection
Office (b)(6);(b)(7)(C)
Cell (b)(6);(b)(7)(C)

From: BORKOWSKI, MARK S
To: CALVO, KARL H.; KOLBE, KATHRYN; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Fence Waiver Discussion **Mtg. Confirmed **
Attachments: (b) (5)

Any interest in participating?

All times listed are in the following time zone:(UTC-05:00) Eastern Time (US & Canada)

From: BORKOWSKI, MARK S
Sent: Wednesday, February 01, 2017 9:28:27 AM
To: BORKOWSKI, MARK S; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Fence Waiver Discussion **Mtg. Confirmed **
When: Wednesday, February 08, 2017 2:00 PM-3:00 PM.
Where: Teleconference

Date: February 8, 2017 | 2:00 – 3:00 (EST)
Conference Line: (b) (7)(E)
Participant Code:

Meeting purpose: Fence Waiver Discussion

**** Background ****

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 31, 2017 6:01 PM
To: BORKOWSKI, MARK S (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Fence Waiver

Mr. Borkowski,

I thought I had sent you the attached draft waiver but I reviewed my sent message today and it appears I did not. My apologies for that oversight. (b)(6)
(b) (5)
Let me know when you or (b)(6);(b)(7) might be available to discuss.

(b)(6);(b)(7)(C)
Associate Chief Counsel - Trade and Finance
Office of the Chief Counsel
U.S. Customs and Border Protection
(b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

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