

FACILITY USE MEMORANDUM OF UNDERSTANDING

WHEREAS, THE FLORIDA KEYS MOSQUITO CONTROL DISTRICT HAS ENTERED INTO A PUBLIC-PRIVATE PARTNERSHIP WITH OXITEC TO CONSIDER THE USE OF GENETICALLY MODIFIED MOSQUITOES TO COMBAT THE *AEDES AGYPTI*, AND

WHEREAS, OXITEC HAS MADE IMPROVEMENTS TO THE MARATHON FACILITY IN PREPARATION FOR THE FINALIZING OF AN INVESTIGATIONAL AGREEMENT, AND

WHEREAS, THE IMPROVEMENTS MADE TO THE FACILITY AND THE USE OF THE FACILITY ARE SUBJECT TO, AND CONDITIONED UPON, BOARD APPROVAL.

WHEREAS, THE FACILITY IS PREPARED FOR THE REARING OF GM MOSQUITOES AND THERE EXISTS THE POTENTIAL THAT OXITEC MAY NEED USE OF THE FACILITY TO ASSIST MIAMI-DADE COUNTY WITH COMBATING THE RECENT ZIKA OUTBREAKS.

WHEREAS, ANY USE OF THE FACILITY FOR MOSQUITO REARING OR ANY OTHER PURPOSE REQUIRES BOARD APPROVAL.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE FLORIDA KEYS MOSQUITO CONTROL BOARD AND OXITEC AS FOLLOWS:

1. That the above recitations are incorporated herein by reference.
2. Subject to, and conditioned upon, Oxitec receiving all FDA or other regulatory approvals necessary to begin the rearing of the mosquitoes, the FKMCD Board authorizes Oxitec to use the Marathon facility in the event the need arises to combat *aedes aegypti* in Miami-Dade County, or such other U.S. location where Oxitec has obtained regulatory approvals necessary for the release of the insects.
3. Oxitec agrees to comply with the FKMCD Facility Use Policy attached hereto and incorporated herein by reference.
4. Oxitec shall pay, as rent, the monthly amount of XXX for use of the facility in the event that the facility is needed to rear mosquitoes for the Miami-Dade County Zika outbreak.
5. Either party may, upon 30 days' notice to the other party, terminate this agreement without cause.
6. Oxitec and FKMCD acknowledge and agree that in no event shall the facility be utilized for the rearing or release of insects within the FKMCD boundaries prior to receipt of all necessary approvals from FKMCD following its final determination as to the safety of the technology and the anticipated effect of its use.

PASSED AND ADOPTED by the Florida Keys Mosquito Control District at a regular meeting of said Board Officials held on this ____ day of _____, 2016.

Lessee/Facility User

Date

Executive Director, Florida Keys Mosquito Control District

Date

Chairperson, Florida Keys Mosquito Control District

Date