

PORT EVERGLADES TARIFF NO. 12

ITEM: COMMUNICATIONS (PHONE AND FAX)

ITEM NO: 120

ISSUE NO: 23EFFECTIVE DATE: OCTOBER 1, 2008 2010

Main telephone number and after-hours recorded message:
 (954) 523-3404.

<u>Office/Division</u>	<u>Phone Number</u> (Area Code 954)	<u>FAX Number</u> (Area Code 954)
Port Director	468-3516	523-8713
Deputy Port Director	468-3504	523-8713
Broward Sheriff's Office	765-4511	765-4853
Business Administration	468-0111 <u>468-3501</u>	525-1910
Business Development	468-0170	468-3529
Seaport Engineering & Construction	468-0148	765-5389
Corp./Comm. Relations	468-3508	765-5345
Container Crane	765-4365 <u>468-3523</u>	765-5061
Cruise Marketing	468-0176	468-3529 <u>765-5345</u>
Finance	468-3511	524-0170 <u>765-4060</u>
Fire Rescue	765-4511 <u>468-3533</u>	765-4164
Foreign Trade Zone	765-4620 <u>468-0214</u>	765-4628
Harbormaster	765-4602 <u>468-0212</u>	525-9512
Legal/County Attorney	468-3528	523-2613
Operations	468-4718 <u>468-0221</u>	522-0873
Public Works	765-5099 <u>468-3546</u>	765-5040

PORT EVERGLADES TARIFF NO. 12

ITEM: PILOTING SERVICES

ITEM NO: 130

ISSUE NO: 12

EFFECTIVE DATE: OCTOBER 1, 2006 2010

Broward County does not perform piloting services for vessel movements, docking, undocking or shifting of vessels. Pilotage is provided by the Port Everglades Pilots' Association (954)522-4491~~7~~; fax (954)522-4498 on a 24-hour basis, all days of the year. Contact the Harbormaster office (954)~~765-4602~~468-0212 for further details or to arrange for pilotage.

In the event of injury to persons or damage to, or loss of use of, property arising out of, or connected with, directly or indirectly, negligence or fault in the navigation or maneuvering of, or otherwise by the presence of, the vessel within Port Everglades, the vessel, her owners, master, operators, charterers and agents shall not assert any liability against Broward County or its Commissioners or employees. The vessel, her owners, master, operators, charterers, and agents shall indemnify and hold harmless Broward County and its Commissioners and employees from and against any and all actions, suits, proceedings, claims, demands, loss, liens, costs, expenses, liability, and damages, of any kind or nature whatsoever, by whomsoever brought or demanded, arising out of, or connected with, directly or indirectly, negligence or fault in the navigation or maneuvering of, or otherwise by the presence of, the vessel within Port Everglades, including reimbursement of legal fees, costs, and expenses should Broward County be required to defend any action or claim, etc, or file suit to enforce indemnity. The vessel and her owners, master, operators, charterers and agents shall pay promptly upon demand all damages to facilities owned or controlled by Broward County caused directly or indirectly by the vessel, including any loss of use or income occasioned thereby, together with interest at the highest legal rate permitted, and legal fees, costs and expenses of collection or suit, if required.

ITEM: PILOTING SERVICES

**ITEM NO:
(CONT) 130**

The obligations imposed by this section upon the vessel, her owners, master, operators, charterers, and agents shall not be diminished or impaired notwithstanding injury to persons or damage to, or loss of use of, property arising out of, or connected with, directly or indirectly, the negligence, fault, or other conduct of a pilot, the piloting contractor, or its officers or employees in providing piloting services, but the obligation imposed by this paragraph shall not apply where injury to persons or damage to, or loss of use of property is proximately caused by the negligence of Broward County.

PORT EVERGLADES TARIFF NO. 12

ITEM: COLLISION AND ALLISION

ITEM NO: 250

ISSUE NO: 12

EFFECTIVE DATE: OCTOBER 1, 2006 2010

In the event of a collision between two vessels or an allision between a vessel and any dock or other structure, a written report of such collision or allision shall, within not more than twenty-four (24) hours after the incident, be furnished to the Port Everglades Department by the franchised steamship agent or vessel representative. Said report is to be furnished to both the Operations Division and Harbormaster. State licensed pilots are obligated to furnish their reports to the state only. They will not provide reports to the Port.

Verbal notification of a collision or allision is to be made to the Harbormaster via radio by the command of the ship immediately following the event.

PORT EVERGLADES TARIFF NO. 12

ITEM: DOCKAGE RATES - CARGO VESSELS
ISSUE NO: 45
EFFECTIVE DATE: OCTOBER 1, 2009 2010

ITEM NO: 320

Rates listed below apply per 24-hour period or fraction thereof.

Cargo Vessels - (Container, Dry Bulk, Neo Bulk) - When calling for the purpose of loading and/or discharging cargo:

PER GROSS REGISTERED TON.....\$ ~~.208~~.215

Cargo Vessels (Petroleum) - When calling for the purpose of loading and/or discharging cargo:

PER GROSS REGISTERED TON.....\$ ~~.214~~.222

Pure Car Carriers - When calling for the purpose of loading and/or discharging wheeled, motorized vehicles:

PER GROSS REGISTERED TON.....\$ ~~.156~~.162

The Harbormaster may at his/her sole discretion, upon written application, grant lay-in days immediately prior to or following cargo operations. In no instance will the Harbormaster grant more than two (2) days prior and/or two (2) days following cargo operations.

The minimum dockage charge per 24-hour period is \$~~230.00~~ 240.00.

PORT EVERGLADES TARIFF NO. 12

ITEM: DOCKAGE RATES - CRUISE SHIPS
ISSUE NO: 45
EFFECTIVE DATE: OCTOBER 1, 2009 2010

ITEM NO: 325

Rates listed below apply per 24-hour period or fraction thereof.

- (A) Ships offering multi-day cruises, no minimum number of sailings
PER GROSS REGISTERED TON..... ~~\$-211~~ .218
- (B) Ships offering daily cruises, minimum 25 sailings per month
PER GROSS REGISTERED TON..... ~~\$-098~~ .102

Review of sailing activity will be conducted at the conclusion of each calendar month. In order to continue qualifying for the rate in Part (B), a vessel must have made a minimum of 25 sailings in the prior month. Failure of a vessel to maintain the aforementioned minimum sailing requirement will result in subsequent dockage being charged at the higher Part (A) rate until such time as the vessel requalifies. During the initial month of operations, vessels providing services in Part (B) will have their activities prorated from date of start up for purposes of determining minimum sailing requirements. Upon written application to the Port Director, a waiver of minimum sailing requirements may be granted for purposes of vessel dry docking or major repairs. A replacement vessel is acceptable for purposes of qualifying as a Part (B) vessel.

The minimum dockage charge per 24-hour period for all cruise ships is ~~\$230.00~~ 240.00.

PORT EVERGLADES TARIFF NO. 12

ITEM: DOCKAGE RATES - LAY-IN VESSELS
ISSUE NO: 34
EFFECTIVE DATE: OCTOBER 1, 2008 2010

ITEM NO: 330

Rates listed below apply per 24-hour period or fraction thereof.

Lay-in Vessels - All cargo and non-cruise vessels in lay-in status, except Navy and Coast Guard Vessels:

PER GROSS REGISTERED TON.....\$.208 <u>.215</u>
PER LINEAL FOOT.....\$	3.70 <u>3.83</u>

(Whichever provides the greater revenue)

Lay-in Vessels - Navy and Coast Guard Vessels:

PER GROSS REGISTERED TON.....\$.167 <u>.173</u>
PER LINEAL FOOT.....\$	3.00 <u>3.11</u>

(Whichever provides the greater revenue)

U.S. Government Research Vessels

Up to 12 foot draft

PER LINEAL FOOT.....\$	2.51 <u>2.60</u>
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The minimum dockage charge per 24-hour period is ~~\$230.00~~ 240.00.

PORT EVERGLADES TARIFF NO. 12

ITEM: DOCKAGE RATES - YACHTS
ISSUE NO: 34
EFFECTIVE DATE: OCTOBER 1, 2008 2010

ITEM NO: 335

Yachts calling for stores or bunkers with less than six (6) hours on berth:

A. Yachts up to 100 lineal feet.....\$	112.50	<u>116.45</u>
B. Yachts 101 to 200 lineal feet.....\$	219.40	<u>227.10</u>
C. Yachts 201 to 300 lineal feet.....\$	331.85	<u>343.50</u>
D. Yachts 301 to 400 lineal feet.....\$	444.30	<u>459.85</u>

Upon docking, an initial free time period of two hours will be granted. If, after the expiration of free time, a yacht has not vacated its assigned berth, dockage shall be assessed as of the time of first docking at the rates above.

Yachts exceeding six-hours on berth shall be charged for dockage at the dockage rates for lay-in vessels from the time of first docking.

Yachts in excess of 400 lineal feet will be charged for dockage at the dockage rates for lay-in vessels. There is no free time allowance for yachts in excess of 400 lineal feet.

PORT EVERGLADES TARIFF NO. 12

ITEM: BERTH USAGE FOR TENDERING/FLEET
LANDING

ITEM NO: 350

ISSUE NO: 34

EFFECTIVE DATE: OCTOBER 1, 2008 2010

Those vessels using the anchorage and providing tender service for passenger, crew or other personnel between the ship at anchor and a berth within Port Everglades, will be charged ~~\$425.00~~ 440.00 per each 24-hour period or fraction thereof.

PORT EVERGLADES TARIFF NO. 12

ITEM: CLEANLINESS OF PREMISES
ISSUE NO: 34
EFFECTIVE DATE: OCTOBER 1, 2008 2010

ITEM NO: 430

Franchised steamship agents and vessel representatives, stevedores, cargo handlers, and other users of the Port Everglades Department property and facilities shall be responsible for maintaining the property and/or facilities assigned to them in a clean and orderly manner to the satisfaction of the Port Everglades Department.

Furnishing of garbage dumpsters is the responsibility of the user. The Port Everglades Department does not provide dumpsters or trash removal services. Failure to comply with this requirement will result in a charge of ~~\$945.00~~ \$980.00 for each calendar day or portion thereof the situation is not corrected to the satisfaction of the Port Everglades Department.

In addition to such charge, Port Everglades reserves the right to do any required cleaning with its own personnel and charge the user at rates specified in Section Eleven of this Tariff.

PORT EVERGLADES TARIFF NO. 12

ITEM: REMOVAL OF EMPTY YACHT/BOAT CRADLES ITEM NO: 435
ISSUE NO: 34
EFFECTIVE DATE: OCTOBER 1, 2008 2010

Empty yacht/boat cradles are to be removed from dock aprons and other common use areas within Port Everglades not later than the day following the yacht/boat being removed from the cradle. Failure to comply will result in a charge of ~~\$945.00~~ \$980.00 per calendar day, or portion thereof per cradle, until removed.

The Port Everglades Department will not accept empty yacht/boat cradles for storage.

PORT EVERGLADES TARIFF NO. 12

ITEM: OBSTRUCTION OF FACILITIES
ISSUE NO: 34
EFFECTIVE DATE: OCTOBER 1, 2008 2010

ITEM NO: 440

The tenants and users of the Port Everglades Department facilities will not be permitted to leave vehicles, gear, pallets, dunnage, containers, cargo, or other materials incidental to ship and/or terminal operations in any non-leased or non-assigned area, including, but not limited to, dock aprons, roadways, buildings, yard areas, and other facilities of Port Everglades without prior authorization of the Operations Division of Port Everglades. If ordered to be removed, and not removed within 24 hours of receipt of notice, a penalty charge of ~~\$945.00~~ \$980.00 will be assessed the user for each 24 hour period or portion thereof of non-compliance. Additionally, the Port Everglades Department reserves the right to have removed at the user's expense any materials not removed by the user.

PORT EVERGLADES TARIFF NO. 12

ITEM: BUNKERING

ITEM NO: 445

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

Vessel bunkering shall include, but not be limited to, the transfer of liquid petroleum products, alternative fuels, and derivatives for fueling, lubricating and/or other associated uses to a vessel as distinguished from loading such products as cargo.

All vessel bunkering must be performed by a Broward County franchised entity authorized to perform such services at Port Everglades.

All vessel berths Numbered 1 through 27 are accessible to pipeline hose connections for bunker fuels. These berths, as well as berths 28 through 33, are accessible by tank truck and barge.

Written reports of activity are to be submitted on a monthly basis within five (5) business days from the end of the month to the Port Everglades Department Petroleum Section and include the dates of services performed, the name of the vessel(s), and the source and number of gallons of product transferred by type. Late submission of the monthly report shall be penalized at the rate of ~~\$210.00~~ \$220.00 per business day, or portion thereof, for every day the report is submitted late or remains incomplete.

No wharfage will be charged on bunkers delivered across Port Everglades' docks by pipeline or truck.

No wharfage will be charged on bunkers delivered to vessels within Port Everglades by barge on which wharfage has previously been paid on the inbound movement of the bunker components.

Bunkers delivered directly to vessels within Port Everglades by barge on which wharfage has not previously been paid will be subject to charges in accordance with Items No. 535, 1057, 1066.

PORT EVERGLADES TARIFF NO. 12

ITEM: CONTAINER AND CARGO STAGING
ISSUE NO: 34
EFFECTIVE DATE: OCTOBER 1, 2008 2010

ITEM NO: 450

Containers, cargo, chassis, equipment and the like can only be staged on dock aprons and common use, non-leased, non-assigned areas with the prior approval of the Port Everglades Department, Operations Division. All requests must be made in a timely manner but not less than 24 hours prior to the staging area being needed. Consideration of a request will include the need for the requested staging area prior to and following the requested use. If the request is approved, it will be for a time certain period. Use of the staging area without permission, or prior to and/or after the time certain period, will result in a penalty of ~~\$58.00~~ \$60.00 per calendar day or portion thereof for each container, chassis, piece of cargo or equipment.

PORT EVERGLADES TARIFF NO. 12

ITEM: CRUISE SHIP TERMINALS

ITEM NO: 470

ISSUE NO: 12

EFFECTIVE DATE: OCTOBER 1, 2006 2010

Port Everglades has ~~eleven~~ ten ~~(11)~~ (10) air conditioned full service cruise ship passenger terminals equipped with elevators and escalators. All but one has at least one retractable, height adjustable passenger loading bridge.

PORT EVERGLADES TARIFF NO. 12

ITEM: NON-WATERBORNE LIQUID BULK TRANSFER ITEM NO: 520
ISSUE NO: 56
EFFECTIVE DATE: OCTOBER 1, 2009 2010

All liquid bulk brought into the Port Everglades jurisdictional area by railroad and discharged from rail tank cars into tanks whether fixed or portable or trucks including, but not limited to, all petroleum products including fuels, lubricants (conventional or synthetic), LPG and asphalt; fuel or lubricant additives of any type; alternative fuels; renewable fuels; fuel blending components, including alcohols and bio diesel; chemicals; petrochemicals; solvents; alcohols; manufacturing or process feed stocks will be charged ~~\$.0057~~ \$.0059 per gallon, in lieu of what otherwise would be charged for dockage, wharfage, fire service protection fee, and marine services. Operators, terminals or facilities receiving liquid bulk by rail during any given month will provide a written report summarizing that month's activity to the Port Everglades Department, Petroleum Section within five (5) business days from the end of that month. The report will include the date of receipt, description of the commodity and quantity in gallons received.

All liquid bulk alternative fuels, renewable fuels, including ethanol, other alcohols and bio diesel brought into the Port Everglades jurisdictional area by truck and discharged into tanks whether fixed or portable and on which no wharfage or other Port Everglades charges have previously been paid, will be charged ~~\$.0057~~ \$.0059 per gallon, in lieu of what otherwise would be charged for dockage, wharfage, fire service protection fee, and marine services. Operators, terminals or facilities receiving bulk alternative or renewable fuels by truck during any given month will provide a written report summarizing that month's activity to the Port Everglades Department, Petroleum Section within five (5) business days from the end of the month. The report will include the date of receipt, description of the commodity and quantity in gallons received.

PORT EVERGLADES TARIFF NO. 12

ITEM: INTERCOASTAL TUG AND BARGE

ITEM NO: 530

ISSUE NO: 34

EFFECTIVE DATE: OCTOBER 1, 2008 2010

Intercoastal tug and barge container ocean carriers loading and/or discharging containers at Port Everglades for carriage between Port Everglades and other continental United States ports will be charged a composite cargo wharfage and dockage rate as follows:

Full containers.....\$	23.65 <u>24.50</u> per unit discharged or loaded
Empty containers.....\$	10.55 <u>10.95</u> per unit discharged or loaded

These rates are in lieu of dockage charges, cargo wharfage charges, and incentive discount provisions contained in Item No. 515.

PORT EVERGLADES TARIFF NO. 12

ITEM: WHARFAGE RATES - CARGO

ITEM NO: 535

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

(Rates per ton of 2,000 lbs. or 40 cubic feet, whichever is greater, except as otherwise noted:

ALL ARTICLES, not otherwise specified....\$	2.80	<u>2.90</u>
AUTOMOBILES, <u>Suvs</u> , pick up trucks, <u>vans</u> ; roll on/roll off; to/from a PCC (Pure Car Vehicle Carrier); minimum load/discharge of 150 units, charge per unit.....\$	5.60	<u>5.80</u>
CEMENT CLINKERS, AGGREGATES, TALLOW OR GYPSUM, in bulk.....\$.963	<u>1.00</u>
<u>CEMENT OR OTHER DRY BULK CARGO in small bags; palletized.....\$</u>		<u>1.55</u>
CEMENT, PORTLAND AND MASONRY, in bulk <u>Including super sacks.....\$</u>	.833	<u>.862</u>
CONTAINERS & TRAILERS, FULL, each.....\$	3.90	<u>4.04</u>
EMPTY, each.....\$	1.79	<u>1.86</u>
CONTAINERS & TRAILERS "SMALL BOAT" FULL, each.....\$	2.12	<u>2.20</u>
EMPTY, each.....\$	1.79	<u>1.86</u>
CONTAINER CARGO - per 2,000 pounds.....\$	2.50	<u>2.59</u>
CONTAINER CARGO - "SMALL BOAT" per 2,000 pounds.....\$	1.95	<u>2.02</u>
LUMBER, per 1,000 feet B.M. (Net).....\$	2.61	<u>2.71</u>
PETROLEUM, ALTERNATIVE FUELS, FUEL BLENDING COMPONENTS (INCLUDES ALCOHOL BIO-DIESEL & BIO-DIESEL FEED STOCKS) per barrel.....\$.1374	<u>.1422</u>

PORT EVERGLADES TARIFF NO. 12

ITEM: WHARFAGE RATES - CRUISE PASSENGERS ITEM NO: 540
ISSUE NO: 45
EFFECTIVE DATE: OCTOBER 1, 2009 2010

- A. Vessels offering multi-day cruises, no minimum number of sailings, embark, disembark, in transit, per each passenger.....\$ ~~8.39~~ 8.68
- B. Vessels offering daily cruises, minimum 25 sailings per month, embark, disembark, in transit, per each passenger.....\$ ~~1.92~~ 1.99

Review of sailing activity will be conducted at the conclusion of each calendar month. In order to continue qualifying for the rate of category "B", a vessel must have made a minimum of 25 sailings in the prior month. Failure of a vessel to maintain the aforementioned minimum sailing requirement will result in subsequent cruise passenger wharfage being charged at the higher category "A" rate in the following month(s) until such time as the vessel requalifies.

Once requalified, the category "B" rate will apply in the month following requalification. During the initial month of operations, vessels providing services in category "B" will have their activities prorated from date of start up for purposes of determining minimum sailing requirements. The category "B" rate will apply from the first sailing.

Upon written application to the Port Director, a waiver of minimum sailing requirements may be granted for purposes of vessel dry docking or major repairs. A replacement vessel is acceptable for purposes of qualifying as a category "B" vessel.

Passenger wharfage will be charged against manifested revenue passengers only.

PORT EVERGLADES TARIFF NO. 12

ITEM: CONTAINER CARRIER SERVICE INCENTIVE **ITEM NO: 545**
ISSUE NO: 1
EFFECTIVE DATE: OCTOBER 1, 2010

The provisions of this Item apply to container cargo ocean carriers who establish a new regularly scheduled ocean container cargo service(s) calling at Port Everglades who do not have in effect a marine terminal lease and operating agreement. For purposes of this item, "new service" is one that is newly entered into or one that has not called at Port Everglades within the prior twelve months. Such container cargo ocean carrier must apply to the Port Director in writing, for approval of the application of the provisions in this Item, which approval entitles such container cargo ocean carrier to receive the herein below Tariff incentives from the date of the first vessel call in the new service following Port Director approval. The 1st year will commence with the arrival of the first approved ship and end twelve months later. The 2nd year will commence on the day following completion of the 1st year. The 3rd year will commence on the day following completion of the 2nd year. This Tariff incentive is provided to offset a portion of the carriers' startup costs associated with its locating to Port Everglades. To receive Port Director approval, such container cargo ocean carrier must provide evidence of its ability to load/discharge a minimum of 5,000 container shipmoves (see note) annually at Port Everglades and also provide service route documentation from the Florida Shipper or the container cargo ocean carrier's website.

New Container Cargo Ocean Carrier Service Incentive is as follows:

1st Year = \$3 per container shipmove
2nd Year = \$2 per container shipmove
3rd Year = \$1 per container shipmove

ITEM: CONTAINER CARRIER SERVICE INCENTIVE

ITEM NO:

(CONT) 545

During the first year of qualification, the \$3 per container shipmoves incentive will be accumulated for the approved container cargo ocean carrier until the 5,000 container shipmoves level has been reached. Thereafter, the accumulated incentive, as well as future incentives earned, will be applied against open Port invoices and/or future Port charges until fully exhausted. Such earned credits must be applied directly against invoiced Port Everglades fees and are not transferrable.

To remain eligible for the incentives enumerated herein, such container cargo ocean carrier's account with Broward County must be and remain current with no delinquent balances and such ocean carrier shall continue to demonstrate its ability to load/discharge a minimum of 5,000 container shipmoves annually at Port Everglades. Under the Port Director's guidelines and Broward County's Port Everglades Department's Accounts Receivable Policy and Procedures, all accounts will be monitored and appropriate action taken on delinquent accounts. An approved carrier whose account becomes delinquent, will not receive these incentives for their container shipmoves during the period(s) of delinquency. Once a qualified ocean carrier's account returns to current status, the approved ocean carrier will again be entitled to receive the container shipmove credit appropriate for the year of operation at Port Everglades. Irrespective of an ocean carrier's account status, all container shipmoves will be counted towards demonstrating the ocean carrier's ability to load/discharge 5,000 containers annually at Port Everglades.

Note: Container Shipmoves as used herein means a truck trailer body (whether fully enclosed, open top, flat rack, vehicle rack, or bulk liquid) loaded or discharged from a ship or barge at berth in Port Everglades.

PORT EVERGLADES TARIFF NO. 12

ITEM: INSIDE TRANSIT SHED STORAGE RATES

ITEM NO: 625

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

Cargo accepted for inside storage by the Port Everglades Department will be assessed storage charges as detailed below. Cargo remaining beyond authorized storage period(s) will be assessed wharf demurrage charges as contained in this Tariff.

- A - Charge for first 30-day calendar period or fraction thereof
- B - Charge for second 30-day calendar period or fraction thereof
- C - Charge for third and each succeeding 30-day calendar period or fraction thereof

	<u>A</u>	<u>B</u>	<u>C</u>
1. All articles not otherwise provided for, per ton....\$	3.25 <u>3.36</u>	6.60 <u>6.83</u>	17.30 <u>17.90</u>
2. Automobiles, trucks, trailers and tractors, per day each.....\$	5.10 <u>5.28</u>	6.00 <u>6.20</u>	6.50 <u>6.73</u>
3. Hardboard, particle board, plywood in bundles, per ton.....\$	2.85 <u>2.95</u>	3.90 <u>4.05</u>	4.50 <u>4.65</u>
4. Cement, in bags, per ton.\$	2.25 <u>2.33</u>	3.00 <u>3.10</u>	3.40 <u>3.52</u>
5. Lumber, per 1,000 B.M. (Net).....\$	4.45 <u>4.60</u>	5.20 <u>5.38</u>	6.65 <u>6.90</u>
6. Steel products, per ton..\$	3.95 <u>4.10</u>	4.65 <u>4.80</u>	5.15 <u>5.33</u>
MINIMUM Storage Invoice.....	\$50.00		

PORT EVERGLADES TARIFF NO. 12

ITEM: OPEN GROUND STORAGE RATES
ISSUE NO: 45
EFFECTIVE DATE: OCTOBER 1, 2009 2010

ITEM NO: 630

Cargo accepted for open ground storage by the Port Everglades Department will be assessed storage charges as detailed below. Cargo remaining beyond an authorized storage period(s) will be assessed wharf demurrage charges as contained in this Tariff.

1.	All articles not otherwise provided for, each 6 days or fraction thereof, per ton.....\$	7.82 <u>.85</u>
2.	Automobiles, trailers, trucks, container chassis, tractors, or other vehicles, per day, each.....\$	3.50 <u>3.63</u>
3.	Boats and yachts on cradles or trailers, per day, each.....\$	25.10 <u>26.00</u>
4.	Lumber per 30 days or fraction thereof, per 1,000 B.M. (Net).....\$	2.28 <u>2.35</u>
5.	Containers, on or off chassis, containing cargo or empty, per day, each.....\$	3.50 <u>3.62</u>
	MINIMUM Storage Invoice.....\$	50.00

PORT EVERGLADES TARIFF NO. 12

ITEM: WHARF DEMURRAGE RATES

ITEM NO: 635

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

All cargo remaining in Port Everglades after free time has expired and not accepted for storage or remaining in Port Everglades after expiration of an authorized storage period, shall thereafter be assessed a wharf demurrage charge as detailed below. The vessel's franchised steamship agent or vessel representative is responsible for the payment of wharf demurrage charges.

Note:

- I. Located inside transit shed
- II. Located outside on open ground

	<u>I</u>		<u>II</u>	
1. All articles not otherwise provided for; per day or fraction; per ton.....\$.82	<u>.85</u>	.57	<u>.59</u>
2. Automobiles, trucks, tractors, trailers or other vehicles; per day; each.....\$	10.12	<u>10.47</u>	5.05	<u>5.23</u>
3. Boats and yachts on cradles or trailers; per day each...\$	70.30	<u>72.76</u>	46.40	<u>48.02</u>
4. Lumber, per 1,000 B.M. (Net) per day or fraction.....\$.82	<u>.85</u>	.57	<u>.59</u>
5. Containers, on or off chassis, containing cargo or empty per day; each.....\$	14.00	<u>14.50</u>	6.95	<u>7.20</u>

Every two (2) calendar days after the initial commencement of demurrage, the franchised steamship agent or vessel representative shall complete and submit a Port Everglades Storage Inventory Count Form to the Finance Division, Port Everglades Department, and shall submit copies of all

ITEM: WHARF DEMURRAGE RATES

*ITEM NO:
(CONT) 635*

delivery receipts supporting the data thereon. Inventory Count Forms required by this Item to be submitted on a weekend shall be deemed submitted in a timely manner if said forms are received on the immediately succeeding business day.

Failure to submit an Inventory Count Form in a timely manner or failure to provide all information requested (including all relevant delivery receipts) will result in a late charge of ~~\$210.00~~ \$220.00 per business day or any portion thereof for which the Inventory Count Form has not been submitted or remains incomplete.

PORT EVERGLADES TARIFF NO. 12

ITEM: CONTAINER GANTRY AND MOBILE HARBOR
CRANES - SPECIFICATIONS

ITEM NO: 700

ISSUE NO: 23

EFFECTIVE DATE: OCTOBER 1, 2009 2010

Port Everglades Department maintains and makes available for rental a total of eight (8) rail mounted container gantry cranes. Seven (7) cranes are located in Southport and one (1) in Midport. In addition, the Port Department maintains and makes available for rental one (1) mobile harbor crane. Crane specifications are as follows:

TYPE: Container Gantry Crane "P2" - Midport
BUILDER:MANUFACTURER:PACECO

LIFT CAPACITY: ~~Fifty (50)~~ 50 long tons under spreader, ~~fifty-eight (58)~~ 58 long tons under heavy lift beam

OUTREACH: (From face of pier) 113 feet

LIFT: (Pier to bottom of spreader) 100 feet

TYPE: Container Gantry Cranes "SP1, SP2, SP3, SP4, SP5, SP6, SP7"

BUILDER:MANUFACTURER:SAMSUNG HEAVY INDUSTRIES

LIFT CAPACITY: ~~Forty-five (45)~~ 46.5 long tons under spreader, ~~fifty-seven (57)~~ 57 long tons under heavy lift beam

OUTREACH: (From face of pier) 136.5 feet

LIFT: (Pier to bottom of spreader) 106 feet

ITEM: CONTAINER GANTRY AND MOBILE HARBOR
CRANES - SPECIFICATIONS

ITEM NO:
(CONT) 700

TYPE: Mobile Harbor Crane "MHC1"

MANUFACTURER: GOTTWALD

LIFT CAPACITY: •40.4 long tons under spreader in single
lift mode to maximum radius of 135 feet

•49.2 long tons under spreader in twin lift
Mode to maximum radius of 118 feet

•100 long tons under hook to maximum radius
of 75 feet

OUTREACH: •167 feet from center of tower

LIFT: •154 feet from pier to bottom of hook

Additional details are available from the Operations Division,
Container Crane Section.

PORT EVERGLADES TARIFF NO. 12

ITEM: CONTAINER GANTRY AND MOBILE HARBOR CRANES ITEM NO: 705
RULES & REGULATIONS

ISSUE NO: 23

EFFECTIVE DATE: OCTOBER 1, 2007 2010

1. Crane rental time will be computed from the time a crane(s) is ordered to be available for work until the crane(s) is dismissed; subject to listed minimum charge.
2. The charges detailed in this Tariff do not include the gantry crane operator who is supervised and employed by the franchised steamship agent/ or franchised stevedore renting the crane(s).
3. The franchised steamship agent/franchised stevedore renting the crane(s) agrees to be bound by all terms and conditions contained in this Tariff.
4. Broward County shall require of the crane user, certification of insurance with a minimum general liability and personal injury of at least five million dollars (\$5,000,000.00), and the Broward County Board of County Commissioners shall be named as an additional insured. This insurance shall cover the user, and its agents, servants and employees in the use of the crane(s) and equipment. In addition, Broward County reserves the right to require, in its sole discretion, such additional types and amounts of insurance, as it shall determine to be in its best interest, based upon the operations of the crane(s).
5. The crane user shall conform with all applicable laws, ordinances, rules and regulations of O.S.H.A., United States Coast Guard and other federal, state and municipal authorities having jurisdiction over the user or its activities.
6. Vessels, their owners, agents and all other users of the cranes and equipment shall indemnify, save harmless and defend Broward County, its agents, servants, and employees from and against any claim, demand, cause of action or proceeding of whatsoever kind or nature arising out of,

**ITEM: CONTAINER GANTRY AND MOBILE HARBOR CRANES
RULES & REGULATIONS**

**ITEM NO:
(CONT) 705**

incident to or resulting from the use of the cranes or equipment, by the vessels, its owners, agents, servants or employees and all other users of the cranes and equipment, together with all costs, expenses, and liabilities incurred in connection with each such claim or demand or action or proceeding including, but not limited to, all reasonable attorney's fees to and through appellate, supplemental, and bankruptcy proceedings.

7. The franchised steamship agent/or franchised stevedore renting the crane agrees to operate the equipment within its rated capacity, as published in this Tariff, any amendment hereto or reissues hereof.
8. All rigging will be at the expense of the franchised steamship agent/or franchised stevedore.
9. The charge for the crane rental includes crane maintenance.
10. The franchised steamship agent/or franchised stevedore shall make application for crane rental use no later than twelve (12) hours prior to startup time. Application is to be made to the Harbormaster. Application Form will include date, time, type and quantity of cargo to be handled and estimated length of use.

After an order for a crane(s) is properly placed as described above and confirmed by the Harbormaster, the startup time can be set back once without penalty provided the request to set back the startup time is made no later than four (4) hours prior to the originally ordered startup time. If the request is made less than four (4) hours prior to the originally ordered startup time, charges will be imposed at the Item #710 Standby rates calculated from the originally ordered startup time until cargo operations commence or after a four (4) hour minimum period, whichever is less. If, after an original startup time is properly set back as described above to a revised startup time and cargo operations are not ready to commence at the revised startup time, charges will be imposed at the Item #710 Standby rates from the revised startup time until cargo operations commence or after a four (4) hour minimum period, whichever is less.

**ITEM: CONTAINER GANTRY AND MOBILE HARBOR CRANES
RULES & REGULATIONS**

**ITEM NO:
(CONT) 705**

Upon request, and on an as available basis, the Port Everglades Department may make available to a franchised steamship agent and/or franchised stevedore a container gantry crane or mobile harbor crane in order for an operator employed by the franchised steamship agent and/or franchised stevedore to demonstrate his/her ability. Based upon a demonstrated need and for a reasonable number of hours as determined by the Port Everglades Department, a crane so provided will be without charge. Evidence of operator qualification shall be made available to the Port Everglades Department upon request. The operator will be required to demonstrate his/her ability to the satisfaction of the franchised steamship agent or franchised stevedore renting the crane. The Port Everglades Department reserves the right to order removed from a crane any operator not qualified or otherwise observed operating a crane in other than a safe manner, which determination shall be within the Port Everglades Department's sole discretion. The operator shall be prohibited from any operation of a crane until such time as he/she can demonstrate his/her ability to safely operate a crane to the satisfaction of the franchised steamship agent/or franchised stevedore renting the crane, unless the Port Everglades Department has otherwise determined that it is not in the Port Everglades Department's best interest to allow the operator to operate the crane, which determination shall be within the sole discretion of the Port Everglades Department.

PORT EVERGLADES TARIFF NO. 12

ITEM: CONTAINER GANTRY AND MOBILE HARBOR CRANE - ITEM NO: 710
RENTAL RATES

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

I. Container Operations - "Small Boat":

A.	Straight Time Hours - Midport....	\$ 561.45	<u>581.10</u>	Per Hour
	Straight Time Hours - Southport..	\$ 598.95	<u>619.90</u>	Per Hour
B.	Overtime Hours - Midport.....	\$ 646.90	<u>669.55</u>	Per Hour
	Overtime Hours - Southport.....	\$ 689.00	<u>713.10</u>	Per Hour
C.	Standby: Straight Time Hours....	\$ 120.56	<u>124.75</u>	Per Hour
D.	Standby: Overtime Hours.....	\$ 160.90	<u>166.55</u>	Per Hour
E.	Minimum Invoice.....			2 Hours Per Crane Ordered
F.	Initial Start-up Per Crane.....	\$ 160.90	<u>166.55</u>	
G.	Final Shut Down Per Crane.....	\$ 160.90	<u>166.55</u>	

II. All Other Container Operations:

A.	Straight Time Hours - Midport....	\$ 710.10	<u>735.00</u>	Per Hour
	Straight Time Hours - Southport..	\$ 751.00	<u>777.30</u>	Per Hour
B.	Overtime Hours - Midport.....	\$ 800.15	<u>828.15</u>	Per Hour
	Overtime Hours - Southport.....	\$ 835.25	<u>864.50</u>	Per Hour
C.	Standby: Straight Time Hours....	\$ 120.55	<u>124.75</u>	Per Hour
D.	Standby: Overtime Hours.....	\$ 160.90	<u>166.55</u>	Per Hour
E.	Minimum Invoice.....			4 Hours Per Crane Ordered
F.	Initial Start-up Per Crane.....	\$ 160.90	<u>166.55</u>	
G.	Final Shut Down Per Crane.....	\$ 160.90	<u>166.55</u>	

III. General Cargo, Yachts, Heavy Lifts:

A.	Straight Time Hours - Midport....	\$ 394.25	<u>408.05</u>	Per Hour
	Straight Time Hours - Southport..	\$ 425.85	<u>440.75</u>	Per Hour
B.	Overtime Hours - Midport.....	\$ 473.75	<u>490.35</u>	Per Hour
	Overtime Hours - Southport.....	\$ 510.05	<u>527.90</u>	Per Hour
C.	Standby: Straight Time Hours....	\$ 120.55	<u>124.75</u>	Per Hour
D.	Standby: Overtime Hours.....	\$ 160.90	<u>166.55</u>	Per Hour
E.	Minimum Invoice.....			2 Hours Per Crane Ordered
F.	Initial Start-up Per Crane.....	\$ 160.90	<u>166.55</u>	
G.	Final Shut Down Per Crane.....	\$ 160.90	<u>166.55</u>	

ITEM: CONTAINER GANTRY AND MOBILE HARBOR CRANE - ITEM NO:
RENTAL RATES (CONT) 710

IV. Intercoastal Tug & Barge Container Ocean Carriers

A.	Straight Time & Overtime Hours, Midport & Southport; Containers Discharged/ Loaded/Shifted; per unit.....\$	15.30	<u>15.85</u>	
B.	Standby: Straight Time Hours.....\$	120.55	<u>124.75</u>	Per Hour
C.	Standby: Overtime Hours.....\$	160.90	<u>166.55</u>	Per Hour
D.	Minimum Invoice.....2 Hours			Per Crane Ordered
E.	Initial Start-up Per Crane.....\$	160.90	<u>166.55</u>	
F.	Final Shut Down Per Crane.....\$	160.90	<u>166.55</u>	

The Port Everglades Department will be the sole judge as to whether it is appropriate to utilize a container gantry crane or mobile harbor crane to lift a particular classification of cargo. Rental rates, as stipulated in Part (III), are applicable only in operations which are exclusively non-container. When general cargo, yachts, and/or heavy lifts are loaded and/or discharged in conjunction with containers, rates specified in Parts (I) and (II) will apply for all hours of container gantry crane rental.

Charges for Parts (I), (II), and (III) shall be computed on a quarter-hour basis with any fraction of a quarter-hour to count as a full quarter-hour. In the event of a mechanical malfunction deductions of a quarter-hour or more and on a quarter-hour basis thereafter shall be subtracted from the overall charges due.

Preference will be given to container operations in the assignment of container gantry cranes and mobile harbor crane over all other classifications of cargo.

PORT EVERGLADES TARIFF NO. 12

ITEM: CARGO AND CRUISE PASSENGER
STATEMENTS FOR WHARFAGE AND
STATEMENTS FOR OTHER FRANCHISED
ACTIVITIES

ITEM NO: 915

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

All franchised steamship agents or vessel representatives shall within five (5) business days after the departure of a vessel, report to the Port Everglades Department, Finance Division the amount of all cargo and/or cruise passengers discharged and/or loaded or in-transit (cruise passengers only).

All other franchisees shall within five (5) business days of the previous month-end, report to the Port Everglades Department, Finance Division the amount of franchised activity/business incurred in the previous month.

Such report(s) shall be in the form of copies of the ship's manifest and certified statements showing the amount of cargo discharged/loaded, the number of passengers debarked/embarked/in-transit and the amount of other franchised activity and all other information which the Port Everglades Department deems necessary for the compilation of commercial statistics and for the reserving of transit shed or wharf space or for other purposes.

Failure to furnish the above required complete documentation disclosing all activity required for accurate invoicing in a timely manner will result in (I) a late charge of ~~two hundred sixteen~~ two hundred twenty five dollars ~~(\$216.00)~~ (\$225.00) per business day, or any portion thereof, which such documents have not been submitted or remain incomplete, and (II) waiver of free time as applicable and (III) immediate assessment of penalty equal to 10% of the applicable wharfage charges or franchise fees payable to Broward County.

PORT EVERGLADES TARIFF NO. 12

ITEM: BOOMING OF VESSELS

ITEM NO: 1000

ISSUE NO: 34

EFFECTIVE DATE: OCTOBER 1, 2008 2010

In all instances where a vessel is transferring pollutants, including but not limited to bunker fuels, to and/or from a barge, the vessel and barge are to be boomed as a single unit for their full length and beam. Said booming is to be tied back to the dock face at the bow and stern of the vessels so as to contain any spillage of pollutants into the waterways of Port Everglades. Such booming shall be in addition to any required federal, state and local laws.

In all instances where a vessel is transferring pollutants, including but not limited to bunker fuels, to and/or from shore-based facilities, booms are to be set between the vessel and dock fifty (50) feet either side of the transfer point. Such booming shall be in addition to any required federal, state, and local laws.

For pollutants being transferred between sunset and sunrise, said vessel(s) will be responsible for providing cluster lights or other suitable means of lighting which will fully illuminate the surface of the water surrounding the vessel.

Failure to comply with these requirements will result in the immediate suspension of pollutant transfer operations and a charge of ~~\$1,200.00~~ \$1,245.00 per infraction assessed to the franchised steamship agent or vessel representative.

For additional information, contact the Broward Sheriff's Office Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau at Port Everglades.

PORT EVERGLADES TARIFF NO. 12

ITEM: REPORTING OF HAZARDOUS COMMODITIES ITEM NO: 1006
ISSUE NO: 34
EFFECTIVE DATE: OCTOBER 1, 2008 2010

Not less than twenty-four (24) hours in advance of the intended movement of any and all containerized, breakbulk, or dry bulk hazardous commodities through Port Everglades, the franchised steamship agent or vessel representative is required to provide to the Broward Sheriff's Office Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau at Port Everglades via facsimile, a Hazardous Commodity Permit Application on a form provided by the Broward Sheriff's Office Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau at Port Everglades. Permit applications are to be presented by the franchised steamship agent or vessel representative during recognized working hours. After review of the application, the Broward Sheriff's Office Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau at Port Everglades will either issue a Hazardous Commodity Permit to the franchised agent or vessel representative for a commodity which will be permitted to move through the Port or written denial of the application for a commodity which is prohibited from movement through the Port. Failure on the part of the franchised agent or vessel representative to file a Hazardous Commodity Permit Application will result in a charge of ~~\$1,200.00~~ \$1,245.00 per occurrence.

PORT EVERGLADES TARIFF NO. 12

ITEM: DAMAGE TO FACILITIES AND EQUIPMENT ITEM NO: 1009
ISSUE NO: 34
EFFECTIVE DATE: OCTOBER 1, 2008 2010

Damage to the Port Everglades Department facilities and equipment is to be reported immediately at time of occurrence via telephone to the Broward Sheriff's Office and the Harbormaster office at Port Everglades by the user of the equipment or facility. In the case of damages caused by vessels, said report is to be made by the franchised agent or vessel representative to both the Broward Sheriff's Office and the Harbormaster office. Failure to report damages will result in a charge of ~~\$1,200.00~~ \$1,245.00 for each incident. Users shall be liable for any and all damages they may cause to facilities or equipment in Port Everglades (whether such damages are the result of acts, omissions or otherwise). Users, tenants, steamship agents, and vessel representatives shall, at Broward County's option, either repair said damage to Broward County's satisfaction or reimburse Broward County for expenses and costs incurred in correcting same.

PORT EVERGLADES TARIFF NO. 12

ITEM: SANITARY WASTE WATER REMOVAL
FROM VESSELS

ITEM NO: 1036

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

Vessel sanitary waste water removal shall include the pumping of waste water from the sanitary holding tanks of vessels to shoreside trucks and portable tanks.

All vessel sanitary waste water removal must be performed only by companies with valid franchises issued by Broward County for this service at Port Everglades.

Companies with a valid franchise issued by Broward County removing sanitary waste water from vessels, will be assessed a wharfage charge of ~~\$.0274~~ \$.0284 per gallon. With the authorization of Port Everglades, said company may discharge sanitary waste water into the sewer system of Port Everglades for an additional fee of ~~\$.0488~~ \$.0505 per gallon. When discharging to the Port Everglades sewer system, a Port employee will be assigned to monitor the operation, verify the quantity being discharged, and observe that only sanitary waste water is being discharged into the sewer system. Labor costs will be charged in accordance with Tariff Section Eleven. Labor costs will be in addition to the per gallon fees.

Monthly written reports of activity and payment of related wharfage and labor charges for the removal of waste water shall be submitted to the Port Everglades Finance Division within five (5) business days of the end of the month and shall include the dates of services performed, the name of the vessel(s), and the number of gallons of product transferred. Failure to furnish the required monthly reports within the stipulated time will result in a late charge of ~~\$210.00~~ \$225.00 per business day or any portion thereof, for which the reports have not been submitted or remain incomplete.

PORT EVERGLADES TARIFF NO. 12

ITEM: STANDBY FIRE WATCH SERVICE FEE
ISSUE NO: 45
EFFECTIVE DATE: OCTOBER 1, 2009 2010

ITEM NO: 1063

In accordance with Fl. Statute 633.025 Florida Fire Prevention Code and the Broward County Local Fire Code Amendments for standby Fire Watch, requiring the attention of Broward Sheriff's Office Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau, the following service fees will apply:

Recognized working hours.....\$ ~~86.50~~ 89.50
per hour

Other than recognized working hours.....\$ ~~108.15~~ 111.95
per hour

(Subject to a four (4) hr. minimum billing)

PORT EVERGLADES TARIFF NO. 12

**ITEM: PETROLEUM & LIQUEFIED PETROLEUM
GAS TERMINAL FACILITIES**

ITEM NO: 1072

ISSUE NO: 1

EFFECTIVE DATE: OCTOBER 1, 2010

[I] Design, Installation, Operation, Testing & Maintenance

Facility operators will design, install, operate, test and maintain Petroleum Terminal Facilities located within the Port Everglades Jurisdictional Area in accordance with Chapter 62-762, F.A.C. and other state and federal regulations as applicable.

The most current editions of the Florida Fire Prevention Code (FFPC) and its applicable adopted National Fire Protection Association Standards, including NFPA 30 "Flammable and Combustible Liquids Code" and NFPA 58 "Liquefied Petroleum Gas Code", NFPA 72 "National Fire Alarm Code", and the following additional requirements as set forth in section [II] below, will apply to the design, installation, operation, testing and maintenance of Petroleum and Liquefied Petroleum Gas (LPG) Terminal Facilities located within the Port Everglades Jurisdictional Area.

[II] Additional Fire Prevention Related Requirements for Port Everglades Petroleum and LPG Terminal Facilities

Semifixed Foam Extinguishing Systems:

Semifixed foam extinguishing systems are required for all terminal storage tanks (excluding tanks covered by NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages) in which Class I liquids are stored. The storage tanks shall be equipped with an approved fixed fire fighting foam chamber with piping to the roadside.

ITEM: PETROLEUM & LIQUEFIED PETROLEUM
GAS TERMINAL FACILITIES

ITEM NO:
(CONT) 1072

- a. Fire fighting foam systems shall be designed to operate with 3% AR-AFFF fire fighting foam.
- b. Fire fighting foam system design shall not exceed the capabilities of the Broward Sheriff's Office Department of Fire Rescue and Emergency Services fire apparatus, equipment and the water supply capabilities of the Port Everglades Department.

Fire Department Connections (FDC):

Fire Department Connections shall be UL approved, standard fire department Siamese type connections consisting of 2 ½" diameter female hose connections (N.S.T.), clapper valves, caps and 5" Storz type connections.

Fire Department Connections shall be identified by signage at a location and of a size and colors approved by the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau. Signs shall be located and of such size, distinctive color, and design that it is immediately visible and shall provide contrast with other signs. Signage shall include the storage tank identification number in 3" letters/numerals and, in 1" letters, the product type, working pressure, and gallons per minute required for the specific storage tank the connection serves.

Truck Loading Rack Fire Protection:

Truck loading rack fire protection is required where Class I and/or Class II liquids are handled.

Liquefied Petroleum Gas Fire Protection:

A terminal facility handling liquefied petroleum gas in bulk shall provide a water deluge fire protection system capable of reaching every storage tank, pump house and other gas handling apparatus with a volume of water sufficient to effect the required cooling of tanks or related gas handling apparatus on fire or exposed to fire.

**ITEM: PETROLEUM & LIQUEFIED PETROLEUM
GAS TERMINAL FACILITIES**

**ITEM NO:
(CONT) 1072**

Crude Oil Storage Dike Design Requirement:

Dikes providing containment for crude oil storage tanks shall be provided with a flareback section at the top of the dike to turn back a boil-over wave.

Fire Suppression Systems Emergency Notification:

All fire alarm and fire suppression and extinguishing systems shall be monitored by an approved fire alarm monitoring company and provide immediate notification of fire alarm/fire suppression system activation to emergency forces. Such monitoring arrangements shall be in compliance with the Florida Fire Prevention Code, including NFPA 72, and meet the approval of the Broward Sheriff's Office Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau.

Retroactivity:

The Port Everglades Department will permit the continued use petroleum and liquefied petroleum gas terminal facilities or equipment erected or installed in accordance with the regulations and codes in force at the time of construction or installation. Any substantive changes, alterations, additions or modifications to facilities made after the effective date of this Tariff Item shall be in accordance with the requirements of this Item.

Modification:

The Port Everglades Department in consultation with the Broward Sheriff's Office, Department of Fire Rescue and Emergency Services Fire Marshal's Bureau and applicable municipality shall have the power to grant exemptions from the application of the requirements of this Tariff Item, upon request in writing, when such request shows that enforcement of the requirements of this Item will cause unnecessary hardship to the petitioner, provided that such request shall not be granted where the requested exemption will constitute a distinct hazard to life, property or to the environment.

ITEM: PETROLEUM & LIQUEFIED PETROLEUM
GAS TERMINAL FACILITES

ITEM NO:
(CONT) 1072

Equivalency:

Nothing in this Tariff Item is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety over those prescribed by the requirements of this Item.

[III] Permits for Construction and Repairs

Consistent with Section 3.7 (iii) of the Interlocal Agreement between the City of Hollywood, the City of Fort Lauderdale, the City of Dania Beach and Broward County date May 6, 1994 issuance of building permits for new construction, repairs or alternations to petroleum terminal facilities occurring within the Port Everglades Jurisdictional Area and within overlapping municipal boundaries are subject to the requirements of the applicable municipality.

[IV] Annual Inspections of Petroleum Terminal Facilities

The Broward Sheriff's Office, Department of Fire Rescue and Emergency Services, Fire Marshal's Bureau, representing the Port Everglades Department, shall conduct annual inspections of petroleum terminal facilities including buildings and structures therein and any other facility that has the potential for creating a severe petroleum based fire within the Port Everglades Jurisdictional Area.

Note: This item replaces Sections 1,2,3,4 & 16 of "The Security Regulations at Port Everglades, Florida".

PORT EVERGLADES TARIFF NO. 12

ITEM: HARBORMASTER FEES

ITEM NO: 1100

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

The following Harbormaster fees shall be charged against each vessel:

Up to 10,000 Gross Registered Tons.....\$	270.00	<u>279.45</u>	per call
10,000 GRT and over.....\$	342.00	<u>354.00</u>	per call
Passenger vessels making daily cruises..\$	94.25	<u>97.55</u>	per day

PORT EVERGLADES TARIFF NO. 12

ITEM: LINEHANDLER FEES

ITEM NO: 1105

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

Linehandlers will be furnished for the services of handling lines for docking, undocking and/or shifting vessels at the following rates. Rates are per movement and shifts shall be counted as two movements.

0-9,000 Gross Registered Tons.....\$	310.65 <u>321.50</u>
9,001-25,000 GRT.....\$	467.10 <u>483.45</u>
25,001 GRT and over.....\$	613.50 <u>635.00</u>
Cruise ships making daily sailings.....\$	283.95 <u>293.90</u>

PORT EVERGLADES TARIFF NO. 12

ITEM: LABOR AND EQUIPMENT FEES
ISSUE NO: 45
EFFECTIVE DATE: OCTOBER 1, 2009 2010

ITEM NO: 1110

Labor, equipment, and supplies are furnished by the Port Everglades Department only upon request made to the Operations Division. Upon approval of such request, charges are as detailed below:

	During Recognized Working Hours	Outside of Recognized Working Hours
<u>Labor-Per Hour</u>	<u>\$72.70</u>	<u>\$109.15</u>
• Supervisors	\$70.25	\$105.45
• All other classifications	\$61.45	\$ 92.20
	<u>\$63.60</u>	<u>\$ 95.45</u>

Labor rates are inclusive of a 15% administrative charge. Rates are subject to a four (4) hour minimum billing.

Equipment-Per Hour

• Back-hoe	\$181.15	\$175.00	\$206.45	<u>\$213.70</u>
• Forklift (diesel)	<u>98.90</u>	95.55	126.25	<u>130.65</u>
• Forklift (electric)	<u>28.40</u>	27.45	27.45	<u>28.40</u>
• Street Sweeper	<u>181.15</u>	175.00	206.45	<u>213.70</u>
• Light Plant	<u>93.10</u>	89.85	121.25	<u>125.50</u>
• Portable Generator	<u>93.10</u>	89.85	121.25	<u>125.50</u>

Equipment is provided subject to availability and must be requested not less than twenty-four (24) hours in advance.

Electric forklifts are provided for use within the interior spaces of cruise passenger terminals only. They are not to be driven outside of the cruise terminal buildings. Electric forklifts are furnished without operators.

All equipment, with the exception of cruise terminal electric forklifts, are furnished with an operator. Rental

ITEM: LABOR AND EQUIPMENT FEES

ITEM NO:
(CONT) 1110

rates, with the exception of cruise terminal electric forklifts, are inclusive of a 15% administrative charge.

All equipment is subject to a four (4) hour minimum billing.

PORT EVERGLADES TARIFF NO. 12

ITEM: POTABLE WATER, HOSE RENTAL, AND ITEM NO: 1115
HOOK-UP FEES
ISSUE NO: 45
EFFECTIVE DATE: OCTOBER 1, 2009 2010

Rates for potable water delivered to vessels via underground pipelines available at berths 1-33 shall be as follows:

Portable Water.....\$ ~~2.20~~ 2.30 per ton

Hook-Up Fees

Monday-Sunday; 6:00AM-5:00PM.....\$~~54.80~~ 56.70 per vessel
Monday-Sunday; 5:00PM-6:00AM.....\$~~82.25~~ 85.15 per vessel per hour

The start time of the hook-up operation will determine the fee category that applies. Hook-ups from 5:00PM-6:00AM are subject to a four (4) hour minimum at the hourly rate listed.

If a vessel elects to use its own hoses to load potable water, said hoses must be clean and free of defects and leaks. If not, or if the vessel requests the Port Everglades Department to furnish hoses, a use fee of ~~\$11.00~~ \$11.50 per fifty (50) foot length of hose will be charged.

PORT EVERGLADES TARIFF NO. 12

ITEM: OVERTIME CHARGES FOR USE OF
FACILITIES

ITEM NO: 1120

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

Transit sheds and cruise terminals, provided during hours other than recognized working hours, will be charged at a rate of ~~\$72.05~~ \$74.60 per hour, or fraction thereof. Charges are for the account of the franchised steamship agent or vessel representative, stevedore, or cargo handler requesting the service. The charge applicable to cruise vessels providing daily cruise service is ~~\$20.55~~ \$21.30 per hour. All such use is subject to a four (4) hour billing minimum.

Requests to have transit sheds and cruise terminals available during other than recognized working hours must be made not less than four (4) hours prior to the time the facility is needed.

There will be a charge for electricity within each transit shed and cruise terminal of ~~\$19.35~~ \$20.00 per hour, or fraction thereof, between the hours of 5:00PM and 8:00AM during Eastern Standard Time. During Daylight Savings Time, the surcharge will apply between the hours of 6:00PM and 7:00AM.

PORT EVERGLADES TARIFF NO. 12

ITEM: ELECTRIC SERVICE FEE

ITEM NO: 1125

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

When electricity is furnished by the Port Everglades Department for the operation of conveyors or other equipment, there will be a charge of ~~\$19.35~~ \$20.00 per hour.

PORT EVERGLADES TARIFF NO. 12

ITEM: ELECTRICITY FOR REFRIGERATED
CONTAINERS

ITEM NO: 1130

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

Refrigerated containers placed in the Port's common use reefer yard will be charged for electricity and use of reefer plug-in receptacles. Rates listed below apply per 24-hour period, or fraction thereof, for use of electricity and space utilization:

Per 20 ft. unit.....	\$ 43.90 <u>45.45</u>
Per 40 ft. unit.....	\$ 51.30 <u>54.00</u>

The Port Everglades Department does not provide service, maintenance nor monitoring of refrigerated containers while on electrical hook-up. Broward County assumes no responsibility or liability for reefer containers including that of an equipment malfunction. No other parking is allowed in the Reefer Yard, except for those units plugged into the electrical receptacles.

Outside of recognized working hours, labor costs to open and/or close the common use Reefer Yard for purposes of placing, removing, monitoring, and/or servicing containers will be in accordance with labor rates contained in Section Eleven of this Tariff.

Access to the common use Reefer Yard must be made by the requesting user not less than four (4) hours prior to the time access is needed.

PORT EVERGLADES TARIFF NO. 12

ITEM: GRID YARD AREAS

ITEM NO: 1140

ISSUE NO: 45

EFFECTIVE DATE: OCTOBER 1, 2009 2010

Upon written application made to the Operations Division and on a space available basis, yard areas will be provided to franchised stevedores, franchised cargo handlers, and tenants on an assignment basis for the purpose of marshaling and processing containers, trailers, chassis, and related container equipment as well as boats, heavy lifts, rolling stock to include but not limited to bulldozers, graders, trucks, buses, tractors, and automobiles in connection with the loading and/or unloading of ocean going vessels. Said areas, designated as grids, will each be assigned for a minimum period of ten (10) days ~~only~~, or calendar month at the election of the applicant, subject to early termination as set forth in this Tariff.

Although grids vary in size, assignees will be charged at the rate of ~~\$563.50~~ \$704.50 per acre assigned for each ten (10) day period or portion thereof or \$2,113.50 per acre per calendar month or portion thereof. For grids served by yard lighting, an additional charge of ~~\$43.90~~ \$55.00 per acre per ten (10) day assignment period or \$165.00 per acre per calendar month will be assessed. Any other electric consumed by the assignee will be charged for based upon electric meter readings or by proration in the absence of a meter.

Renewal of an assignment shall be initiated by written application to the Operations Division not less than two (2) days before the expiration date of the current assignment period. Subject to early termination as set forth in this Tariff, assignment periods commence on the 1st, 11th, and 21st of each month for ten day assignments and on the first of a calendar month for monthly assignments. No sub-assignments by the assignee are permitted during any assignment period or renewal.

ITEM: GRID YARD AREAS

**ITEM NO:
(CONT) 1140**

Notwithstanding an assignment of a grid(s) the Port Everglades Department reserves the right to cancel such assignment upon forty-eight (48) hours written notice to the assignee for any reason whatsoever. An assignment may be immediately terminated if the Port Director or designee determines, in his/her sole discretion, that the assignee's occupancy or use of a grid is in violation of any provision of this Tariff. Assignees will be responsible for paying double all amounts charged in connection with yard assignments hereunder if there is a failure to vacate in accordance with any termination notice issued under this Item.

Applications, renewals, and a listing of all grids showing location, size, and cost are available from the Operations Division.