

The Port of Redwood City - Tariff No. 8
675 Seaport Boulevard
Redwood City, California 94063
Phone: (650) 306-4150 Fax: (650) 369-7636

1st Revised Title Page
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www.redwoodcityport.com

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PORT OF REDWOOD CITY BOARD OF PORT COMMISSIONERS TERMINAL TARIFF NO. 8

CANCELS AND REPLACES TERMINAL TARIFF NO. 6

Naming Rates, Rules, Regulations And Charges
For Services Applying At The Port's Terminal Covering:
General Rules, Dockage, Wharfage, Storage,
Service and Facilities, Cargo Handling, And
Miscellaneous Charges
At The Port Of Redwood City,
Redwood City, California

Effective July 21, 1999

Issued by: Port of Redwood City, Michael J. Giari, Port Manager

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SECTION I - GENERAL RULES

BOARD OF PORT COMMISSIONERS

Item No.
1 (C)

The Board of Port Commissioners of Redwood City is a municipal corporation of the State of California and is also referred to as the Board or as the Port of Redwood City.

The Board of Port Commissioners is a legislative and administrative body of the City with authority to act in all matters pertaining to the operation and governing of the Port, its facilities and its properties.

The Board of Port Commissioners:

Larry Aikins
Richard S. Claire
Richard A. Dodge
Ralph A. Garcia
Lorianna Kastrop

STAFF

Item No.
2

The Port Manager, in respect to Port matters, is the executive officer for the Board of Port Commissioners.

Staff _____

Michael J. Giari _____ Port Manager
Cynthia Hampton _____ Director of Finance and Administration
Donald Snaman _____ Manager of Operations

APPLICATION OF THIS TARIFF

Item No.
3

(A) This tariff applies at the marine terminals of the Port of Redwood City and at all properties under the jurisdiction of the Board of the Port Commissioners that are used in producing, receiving, storing or distributing cargo in maritime transportation.

(B) Use of the Port facilities described in (A), above, constitutes acceptance of this tariff and application of its rules, regulations and charges.

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SECTION I - GENERAL RULES

ABBREVIATIONS

Bbls	Barrels	B.M. or b.m.	Board Measure
Cu. Ft.	Cubic Feet	E.G.	For Example
Etc.	Et Cetera	Ft.	Foot or feet
Gals.	Gallons	Incl.	Inclusive
Kg.	Kilogram	K.D.	Knocked Down
Lbs.	Pounds	M	Meter
M3	Cubic Meters	MT	Metric Ton
MFBM	1000 feet board measure	No	Number
Pkg.	Package	N.O.S.	Not otherwise stated
S.U.	Set Up	Viz.	Namely
W/M	Weight or Measure	%	Percent
\$	U.S. Currency		

Item No.
4

SYMBOLS

(A) Denotes Increase	(D) Denotes Deletion
(C) Denotes Change in Wording which results in neither increase nor decrease in rates or charges	(E) Denotes Expiration
(R) Denotes Reduction	(I) Denotes New or Initial Matter
(N) Denotes Reissued Matter	(G) Denotes General Increase or Decrease

Item No.
5

METRIC CONVERSION TABLE

<u>To Find</u>	<u>Given</u>	<u>Multiply</u>
Metric Tons	Short Tons (2,000 lbs.)	Short Tons by 0.907
Metric Tons	Long Tons (2,240 lbs.)	Long Tons by 1.016
Kilograms	Measurement Tons (40 cu. ft.)	Measurement Tons by 1.133
Cubic Meters	MFBMs (ft. B.M., in thousands)	Measurement Tons by 2.36
Meters	Feet (linear)	Feet by 0.3048

Metric Equivalents:

1 Kilo = 2.2046 Pounds	1 Meter = 3.2808 Feet
1 CWT (US - 100 pounds) = 45.359 Kilos	1 CWT (British - 112 pounds) = 50.802 Kilos
1 Bushel Grain (US) = 60 Pounds	1 Cubic Meter = 35.315 Cubic Feet
1,000 Ft. B.M. = 83.33 Cubic Feet	1 Barrel = 158.987 Gallons (US - 42 Gallons)

Item No.
6

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SECTION I - GENERAL RULES

DEFINITIONS

Item No.
10 (C)

GENDER REFERENCE: Except as otherwise specified in this tariff, references to the male gender shall be considered to apply to the female gender, and vice versa.

CARGO: Includes, but is not limited to commodities, merchandise, goods, wares, freight, liquids, articles and materials, empty containers (cargo vans), as defined below in this item, live animals, vessel's stores, supplies, bunkers and any and all property not specifically described.

CARGO IN BULK: Commodities which, by nature of their unsegregated mass, are usually handled by shovels, scoops, buckets, forks, magnets, mechanical conveyers, or in fluid form through a pipeline or hose, and which are loaded or unloaded and carried without wrappers or containers and received and delivered by carrier without transportation mark or count. (Will not apply when subject to piece count).

CONTAINER (CARGO VAN): A rigid, non-disposable dry cargo, insulated, temperature or atmosphere controlled, flatrack, vehicle rack, portable liquid tank, or open top container without wheels or bogies attached, having not less than 225 cu. ft. Capacity. All types of containers will have fittings and fastenings and be constructed to withstand all stresses that may occur in normal intermodal transportation.

DIRECT: A continuous operation between barge, railcar, truck and vessel when performed by vessel's stevedores, a pipeline, hose, or any mechanical means.

HOLIDAYS: New Year's Eve (Dec.31) New Year's Day, Martin Luther King's Birthday (3rd Monday in January), Lincoln's Day, Washington's Day, Memorial Day, Independence Day, Harry Bridges' Birthday (July 28), Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Eve Day(Dec 24), Christmas Day, any other legal holiday that may be proclaimed by Federal or State Authority and general election days, both State and National.

INBOUND: Cargo being or having been discharged from a vessel.

INDIRECT: Relates to cargo destined to or from a vessel when it is transferred between land carrier and place of rest on a terminal.

O.C.P.: O.C.P. Territory is defined as cargo origins or destinations in the United States located in North Dakota, South Dakota, Nebraska, Colorado, New Mexico and states east thereof and points in Canada east of the Saskatchewan-Manitoba boundary lines.

OUTBOUND: Cargo being assembled for or awaiting loading to a vessel.

PORT OF REDWOOD CITY OR PORT: Consists of the maritime properties under jurisdiction of the Board of Port Commissioners.

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SECTION I - GENERAL RULES

DEFINITIONS (Continued)

TERMINAL: Refers to the warehouses, wharves and docks designed to accommodate ocean going vessels and their cargoes and other adjacent facilities subject to this tariff.

TONS: Cubic meter(M3), (35.315 cu.ft.) a measurement ton.
 Metric ton(MT), 1,000kgs (2204.6 lbs.) a weight ton.

TRANSFERRED CARGO: Cargo received from land transportation and removed by land transportation.

TRANSSHIPPED CARGO: Cargo directly transferred through Port facilities from one vessel to another within the Port.

UNITIZED CARGO: Cargo secured to pallets, platforms or skids with component parts securely held together to form a single unit capable of being handled with mechanical equipment.

Item No.
 10
 (Continued)

APPLICATION OF RATES, RULES & REGULATIONS

(A) The applicable rates, rules and regulations in this tariff are those in effect at the time the charge accrues or situation occurs, and they apply to all users of the Port. (See Item No. 3 (A)).

(B) In the absence of a specific commodity rate, the commodity not specified herein shall be rated as "Cargo, N.O.S." and not by analogy.

(C) When a specific commodity rate is given, it is the only applicable rate for that commodity.

Item No.
 100

MINIMUM CHARGE

Except as otherwise provided in the different sections of the tariff the minimum charge for any service or combination of services under this tariff shall be fifty six dollars (\$56.00).

Item No.
 101 (A)

LIGHTS AT NIGHT

All vessels, barges, etc. while anchored or moored in the Port of Redwood City must show lights in accordance with applicable Federal, State and local laws, rules and regulations.

Item No.
 102

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SECTION I - GENERAL RULES

BULK CARGO-HANDLING REQUIREMENTS

**Item No.
103**

- (A) When any bulk cargo is being handled to or from a vessel the operators must meet all requirements of clean air standards established by public authorities.
- (B) The Port of Redwood City assumes no liability for lost time due to shut down of operation ordered by such authority.

PAYMENT OF CHARGES

**Item No.
104**

- (A) Before services and materials are rendered or the privilege of using any terminal facility is granted by the Port of Redwood City, vessels, their owners, operators, or charterers, shippers or consignees of goods or any other users or their agents, shall either establish prior credit which may be granted at the discretion of the Port Manager, or deposit with the Port of Redwood City cash (U.S. dollars) in advance to cover estimated charges, or furnish in advance a suitable financial instrument (in U.S. dollars) acceptable to the Port Manager in an amount sufficient to cover anticipated charges.
- (B) The Rates, rules and regulations named in this tariff will apply irrespective of the provisions of any bills of lading, charter party, agreement, contract or any other conflicting provision.
- (C) All charges for services and materials rendered by or the use of the terminal facilities of the Port of Redwood City are due and payable upon completion of such services or use.
- (D) Payment of all invoiced charges are due when billed and become delinquent if unpaid 30 days after invoice date; and all charges not paid will be assessed one and a half (1.5%) percent per month or part thereof until paid.
- (E) For invoice purposes, within four days after completion of cargo operations, a report is required, from the vessel's master, her agent(s) charterer(s) or owner, stating the cargo tonnage loaded out and or discharged at the Port.

RUBBISH MUST BE REMOVED

**Item No.
105**

If rubbish is not removed from the terminal by the person placing it there, the charge for the labor employed in removing such rubbish shall be assessed on a man-hour basis at the rates shown in Item 915.

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SECTION I - GENERAL RULES

CLASSIFICATION OF TRADES

Item No.
106

For the purpose of applying certain rates and provisions of this tariff, vessels and the cargo which they carry are classified according to trades in which the vessels are engaged and the cargo transported. (See Note). Such classifications are as follows:

CLASSIFICATION: SERVICE BETWEEN THE PORT OF REDWOOD CITY AND:

- Coastwise Ports located on the Pacific Coast in California, Oregon, Washington and British Columbia.
- Inland Waterway Ports on San Francisco Bay and inland waterways tributary thereto but not via the Pacific Ocean.
- Intercoastal Ports in the continental United States on the Gulf of Mexico or the Atlantic Coast, including ports in Puerto Rico.
- Transpacific Ports west of the 170th Meridian of West Longitude and East of the 40th Meridian of East Longitude.
- Foreign or Offshore Ports other than described above.

NOTE: When transfer is substituted for direct call of a vessel at the Port of Redwood City, cargo so handled is assessed the same charges as that applicable to cargo handled on direct call vessels.

DAMAGE TO PROPERTY

Item No.
107

(A) Every person and every vessel responsible for any damage to any municipal property of any kind or character under the jurisdiction of the Board shall be held liable for and charged with the cost and expense of the replacement or repair of the property so damaged or destroyed. The expense of repairing said damage including all surveys shall be charged against the person or vessel, or both, responsible therefore.

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SECTION I - GENERAL RULES

DAMAGE TO PROPERTY (Continued)

Item No.
107
(Continued)

(B) In the event any damage is done to any wharf, wharf premises, facility or other property owned by the Port of Redwood City and in the possession of, or under the supervision, management or control of the Board of Port Commissioners, the person or persons causing, responsible for or in any way connected with such damage, and the person or persons to whom the wharf, wharf premises, facility or other property may be assigned, or by whom it is being used and the master, owner, operator, or agent of any vessel, vehicle, or other instrumentality in such damage, shall promptly give a full report thereof to the Port Manager giving the date and hour the damage occurred, the name and address, or if unknown, a description of witnesses and other persons, vessels or instrumentalities involved in the damage, as well as all other pertinent facts and information that may be available. It shall be unlawful for any person to refuse, neglect or fail to make or give any such report in the form and manner aforesaid, and in addition to the general penalties prescribed in this tariff, any such person who so refuses, neglects or fails, may be refused the use of any wharf or other facility until the Board of Port Commissioners has been fully reimbursed for any damage.

DISCHARGING OR DUMPING IN PORT WATERS

Item No.
108

(A) It is unlawful for any person, industry, firm, association, corporation, vessel, or any other entity, to discharge, pump into, dump, or in any way or manner allow or cause oil, other pollutants or any discharge to escape into the waters of the Port of Redwood City. (See Harbors and Navigation Code, Division 1.5 Chapter 3).

(B) No substance or object that will sink or form an obstruction to navigation or become a nuisance shall be deposited into or upon the waters of the Port of Redwood City unless the person so doing has first obtained a permit from the U.S. Army Corps of Engineers, San Francisco and has written permission of the Port.

DISPOSAL OF VESSEL'S OILY WASTE

Item No.
109

Vessels requiring discharge of oily waste at the Port of Redwood City shall inquire of the Port's Manager for the name(s) of oily waste hauler(s) permitted by the Port of Redwood City to provide equipment and operate at the Port of Redwood City to receive, haul and dispose of oily waste. The vessel shall arrange directly with such oily waste hauler(s) for such services and equipment. Payment of charges for these services and equipment provided by such oily waste hauler shall be made directly to the oily waste hauler by the vessel, its agent, owner, charterer or any other party responsible for such payment of charges by the vessel.

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SECTION I - GENERAL RULES

DISPOSAL OF VESSEL'S OILY WASTE (Continued)

The oily waste hauler(s) is not an agent or employee of the Port of Redwood City, nor shall the Port of Redwood City be liable for any act, omission or negligence of any such oily waste hauler. Rates and charges assessed vessels by the Port of Redwood City for use of its facilities or services do not include insurance coverage for any potential liability of any oily waste hauler permitted by the Port of Redwood City. The discharge by a vessel of oily waste at the Port of Redwood City shall be allowed only in accordance with the terms of this item.

**Item No.
109
(Continued)**

ESTIMATED WEIGHTS - PETROLEUM AND PETROLEUM PRODUCTS

When shipped in containers, and when actual weight or measurement is not obtainable, petroleum and petroleum products shall be subject to estimated weight of 6.6 pounds per gallon, except that crude, fuel or gas oil will be subject to estimated weight of 7.4 pounds per gallon.

**Item No.
110**

EXPLOSIVES AND OTHER DANGEROUS CARGOES

- (A) It is unlawful to handle, transport, load, discharge or retain any dangerous cargo on a port or private facility or on a vessel within the Port area of Redwood City unless all Local, State and Federal laws and regulations including, but not limited to the following are met and complied with:
- (1) Federal Regulations, titles "Explosive or Other Dangerous Articles on Board Vessel" CFR, Sec.4472, amended U.S. 46-CFR-170 and "U.S. Coast Guard Tank Vessel Regulations" amended U.S. 46-USC-391a.
- (B) It is unlawful to allow any acid, flammable or any dangerous cargoes to remain overnight on or inside any facility (public or private) within the Port area.
 Exception: The Port Manager may designate, with approval of the City Fire Marshal, such place or places where cargo described in (B) may remain pending load out or delivery.
- (C) The Port Manager may have cargo, described in parts (A) and (B), removed from the Port area at the expense of the vessel, the cargo owner and/or its consignee.
- (D) Before handling any class of explosive in this Port, a "Joint Explosives Permit" must be applied for in writing and obtained from the Port Manager after approval of the City Fire Marshal.
- (1) The person obtaining this permit must agree and comply with all terms and conditions specified in the permit which, in addition to referencing the Federal, State and Municipal requirements, may also contain specific instructions from the Port Manager.

**Item No.
111**

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SECTION I - GENERAL RULES

ACCESS TO SHIPPING DOCUMENTS

**Item No.
112**

Vessel agent(s), owner(s), and master(s), or any party using the facilities of the Port of Redwood City, are required to provide access to shipping documents, manifests, or records, to authorized port representatives for the purpose of obtaining the necessary information to verify correct assessment of Port charges.

HANDLING OF FLAMMABLE OR COMBUSTIBLE LIQUIDS

**Item No.
113**

- (A) Vessels may load or discharge flammable or combustible liquids through stationary pipelines, at locations approved by the Port Manager and the City Fire Marshal.
- (B) Vessels are allowed to load or discharge flammable or combustible liquids in approved standard containers within the Port area, subject to the following:
 - (1) Permitted between 0800 and 1700 hrs.
 - (a) Advance notice must be given to the City Fire Marshal if handling is to take place during other hours of the day.
 - (2) Trucks or railroad cars containing such packaged flammable or combustible liquids are not permitted to stand-by on a covered terminal or to remain in an open area on terminal property unless the vessel is ready to load within a reasonable time.
 - (3) Flammable or combustible liquids in containers discharged from a vessel must be removed at once from the terminal area. If unloaded direct to a truck or railcar, the carrier must move this cargo from the terminal area as it is loaded. (See Exception).
 - (4) Empty containers which have held flammable or combustible liquids must be removed from terminal areas at once.

EXCEPTIONS: At special localities within the Port area and in specific quantities both approved by the City Fire Marshal and Port Manager, flammable or combustible liquids in containers may be stored or used.

LIMITS OF LIABILITY

**Item No.
114**

No provisions contained in this tariff shall limit or relieve the Port of Redwood City from liability for its own negligence nor require any person, vessel, or lessee to indemnify or hold harmless the Port of Redwood City from liability for its own negligence.

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SECTION I - GENERAL RULES

INDEMNITY

Item No.
115

Users of the Port facilities shall at all times relieve, indemnify, protect and hold harmless Port of Redwood City and any and all of the members of its board, officers, agents, representatives and employees from any and all judgments rendered, claims and legal actions, including legal representation and expenses incurred in defending against legal actions, claims and liability for death of or injury to persons, damage to property, or civil fines and penalties that may, in whole or in part, arise from or be caused, directly or indirectly by:

- (1) Any dangerous, hazardous, unsafe or defective condition, in or on the premises, of any nature whatsoever, which may exist by reason of any act, omission, neglect or any use or occupation of the premises by users or tenants, its officers, agents, customers, employees, sub-tenants, licensees or invitees;
- (2) Any operation conducted upon or any use or occupation of the premises by user, its officers, agents, employees, sub-tenants, licensees or invitees under or pursuant to the provisions of the lease or use agreement or otherwise;
- (3) Any failure of user, its officers, agents or employees to comply with any of the terms or conditions of agreement or any applicable Federal, State, Regional or Municipal law, ordinance rule or regulation or;
- (4) The conditions, operation, use, occupation, acts, omissions or negligence referred to in subdivisions(1), (2) and (3) of this Item "Indemnity", existing or conducted upon or arising from the use or occupation by users or its invitees on any other premises with the Port of Redwood City, used or occupied by user, its agents, employees, sub-tenants, licensees or invitees, without the express written authorization of the Port Manager.

User or users insurance carrier waives all rights of subrogation for loss or damage to contents of works, structures and improvements on the premises. (Subject to Item 114 herein).

SPECIAL WATCHMAN'S SERVICES

Item No.
116

- (A) When regulations of Federal, State or local authorities require Special Watchman Service in connection with a cargo moving through a Port facility, the cost plus 30% will be charged to the carrier handling such cargo.
- (B) When Special Watchman Services are required by the carrier, shipper or consignee, in connection with cargo being handled at the Port, the cost plus 30% will be charged to the party requesting the service.

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SECTION I - GENERAL RULES

SHIPPERS REQUESTS AND COMPLAINTS

Item No.
117

- (A) Requests or complaints from shippers on matters relating to the rates, rules and regulations contained in this tariff are to be submitted to the Port of Redwood City.
- (B) The Port of Redwood City is a member of the California Association of Port Authorities. A shipper may refer any request or complaint not satisfied by the Board of Port Commissioners to the Association by submitting all available data in writing to the CAPA secretary, 1510 14th Street Sacramento, CA 95814.

U.S. GOVERNMENT CARGO

Item No.
118

Cargoes for the account of the United States of America or its individual agencies will be subject to contract rules and regulations quoted by the Port of Redwood City.

U.S. GOVERNMENT SPONSORED CARGO

Item No.
119

U.S. Government Sponsored Cargo is defined as cargo moving under U.S. Government contracts, where the shipper bears direct responsibility for the payment of all charges until title passes to the U.S. Government. Cargo moving under this definition is considered commercial cargo, and subject to published tariff rates and charges for commercial cargo.

VESSELS IN PORT - READINESS REQUIRED

Item No.
120

- (A) All vessels docked at a Port of Redwood City pier, wharf or facility must have on board at all times a person in charge who has the authority to take action and sufficient crew as may be required to move the vessel in an emergency or as may be ordered by the Port Manager or his representative.
- (B) A vessel must shift or move into the channel at its own expense whenever it is ordered to do so by the Port Manager or his representative.

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SECTION I - GENERAL RULES

RATES NAMED HEREIN DO NOT INCLUDE ANY FORM OF INSURANCE

Item No.
121 (C)

Users shall procure and maintain at their expense, or upon its failure to do so, Port of Redwood City may at the expense of user obtain and keep in force at all times during the terms of the agreement the following insurance:

- (1) Public Liability and Property Damage, Broad form comprehensive public liability and property damage insurance with users normal limits of liability but not less than One Million Dollars (\$1,000,000.00) for injury or death to one person. Three Million Dollars (\$3,000,000.00) for each accident or occurrence involving injury or death and One Million Dollars (\$1,000,000.00) for each accident or occurrence involving property damage. Each such policy shall contain an endorsement stating:
 - (a) Notwithstanding any inconsistent statement in the policy to which this endorsement is attached, or any endorsement or certificate now or hereafter attached hereto, it is agreed that coverage is provided for all operation, uses, occupations, acts and activities of the insured under agreement and/or this Tariff, and under any amendments, modifications, extensions or renewals of any agreement under this Tariff regardless of whether such operations, uses, occupation, acts and activities occur on the premises or elsewhere within the Port of Redwood City and regardless of whether liability is attributable to the insured;
 - (b) The policy to which this endorsement is attached shall not be canceled or reduced in coverage until after the Port Manager has been given sixty (60) days prior written notice by registered mail addressed to Port of Redwood City, 675 Seaport Blvd. Redwood City CA 94063;
 - (c) The coverage provided by the policy to which this endorsement is attached is primary coverage with respect to Port of Redwood City, its Board, Boardmembers, officers, boards, commissions, employees and agents, and any insurance or self-insurance maintained by Port of Redwood City for itself, its Board, Boardmembers, officers, boards, commissions, employees or agents shall be excess of the coverage provided by the Policy and not be contributory with it.
 - (d) The policy shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability (cross liability endorsement);
 - (e) Naming the City of Redwood City, its Council, the Port of Redwood City, its Board, Boardmembers and their respective officers, boards, commissions, employees and agents, as additional insureds.

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SECTION I - GENERAL RULES

RATES NAMED HEREIN DO NOT INCLUDE ANY FORM OF INSURANCE (Continued)

**Item No.
121 (C)
(Continued)**

- (2) FIRE LEGAL LIABILITY. In addition to and concurrently with the aforesaid insurance coverage, users shall also secure and maintain, either by an endorsement thereto or by a separate policy, fire legal liability insurance with a minimum limit of One Million Dollars (\$1,000,000.00) covering legal liability of user for damage or destruction of the works, structure and improvements owner by Port of Redwood City; provided that said minimum limit of liability shall be subject to adjustment by Port Manager to conform with the deductible amount of the fire insurance policy maintained by Port of Redwood City upon thirty (30) days prior written notice thereof to user at the time during the term of this agreement.
- (3) FIRE AND EXTENDED COVERAGE INSURANCE: User shall secure, and shall maintain at all times during the life of any agreement, under this Tariff, fire and extended coverage insurance with waiver of subrogation in favor of Port covering ninety percent(90%) of the replacement value of the works, structures and improvements erected by user on the premises, with such provisions in the policies to cover the same, or in riders attached thereto, as well provide for all losses over \$50,000.00 to be payable to the Port of Redwood City to be held in trust for reconstruction. In the event of loss or damage by fire to any of such structures or improvements, user shall undertake replacement or reconditioning of such structures within ninety(90) days following any such loss. In the event users shall undertake such repairs or reconditioning within said period of ninety (90) ninety days, such proceeds shall be released by the Port of Redwood City to users as payments are required for said purposes. Upon the completion of such replacement or reconditioning to the satisfaction of the Port Manager any balance thereof remaining shall be paid user forthwith. In the event user fails to undertake such replacement or reconditioning within said period of ninety (90) day, such proceeds shall be retained by Port of Redwood City. (Subject to Item 114 herein)

NON-LIABILITY OF THE PORT OF REDWOOD CITY

**Item No.
124**

- (A) The Port of Redwood City will not be responsible for loss, damage or delay caused by fire; heating; leakage; evaporating; natural shrinkage; wastage or decay; animals; rats; mice; or other rodents; moths; weevils or other insects; leakage or discharge from fire protection system; breakdown of plant, machinery or equipment; floats, logs or piling required in breasting vessels way from wharves or piers; dampness, combinations, riots or strikes of any persons in its employ or in the service of others or of any consequences arising therefrom, insurrection, war or shortage of labor: insufficient notifications; pilferage; the elements, or any causes unavoidable or beyond its control; and in particular (but without limitations) the Port will not be responsible for damage by elements to goods or property which are stored in open or uncovered areas.

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SECTION I - GENERAL RULES

NON-LIABILITY OF THE PORT OF REDWOOD CITY (Continued)

Nothing herein shall be deemed to relieve the Port from liability it may have by law as a result of the negligence of the Port of Redwood City.

In the event of any loss or damage not excluded in (A) above, in which the Port's liability is proven, the cargo loss claimed will be limited to the actual invoice value of that portion of the lost or damaged cargo but not exceeding \$500.00 per pack, or if not shipped in packages, per customary freighting unit; or prorated in case of a partial loss or damage; and less any salvage value that may be realized on the damaged cargo on which claim is made to the Port.

- (B) Non-Liability for reserving space or carrier's failure to load. In no event shall the Port be liable for loss, damage or delay arising from failure of the shipper to arrange for space on the transporting vessel, or from the vessel nominated by the shipper or owner of such goods. In the event of any such failure, such goods shall be held subject to all the applicable charges and provisions of this tariff.
- (C) Non-Liability for Government Agency Order Restricting or Stopping a Cargo Operation. In the event the Port is stopped or restricted by a governmental agency from performing any loading or discharging operation, the Port shall incur no liability as a result of having to cease or being restricted in such loading or discharging operation. (Subject to Item 114 Herein)

Item No.
124 (C)
(Continued)

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SECTION II - VESSEL BERTHING AND DOCKAGE

PORT REQUIREMENTS FOR VESSEL BERTHING

Item No.
200 (C)

- (A) Application for a berth must be made to and approved by the Port before docking a vessel at a marine terminal or facility at the Port of Redwood City.
- (1) Application for a berth (Port form provided) should be made as far in advance as possible, but not less than 72 hours before the vessel's arrival. In an emergency, if the berth is available, the Port Manager may waive this time requirement.
- (B) The Port schedules berthing considering the availability of the terminals and facilities.
- (1) A vessel failing to arrive at a scheduled time may lose her turn on berth, and a new application for berthing will be required. Vessel agents are required to promptly advise the Port of any change in a vessel's estimated time of arrival (E.T.A).
- (C) The Port of Redwood City reserves the right for the Port Manager to require a vessel at a berth to work at her expense a minimum of two 8 hour shifts per day on all hatches possible.
- (D) The Port of Redwood City reserves the right, exercisable by written order of the Port Manager, to require a vessel to shift her position or vacate a berth with all expenses incurred and all risks of damage for the account of the vessel.
- (1) Failure to comply with the order given in part (D) will subject the vessel to a dockage charge of \$200.00 per hour in addition to dockage charges specified in this section.
- (2) This added dockage charge will commence at the time specified in the written orders given to the master or other officer of the vessel and will continue until the orders are complied with by moving the vessel as required.
- (3) If the vessel is not self-propelled and the owner, operator or charterer fails to comply with the Port's order, the Port Manager may have the vessel shifted or removed from the berth by tugboat with all expenses incurred and all risks of damage for the account of the vessel. (Subject to Item 114 herein).
- (E) Vessels not engaged in loading or discharging cargo will be berthed only with the clear understanding that:
- (1) The vessel will shift position or leave the berth when requested to do so by the Port.
- (2) The vessel refusing to move as requested may be shifted by tugboat or otherwise by the Port and all expenses for the move and any damage to the vessel, wharf or other property will be for the account of the vessel so moved. (Subject to Item 114 herein)

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SECTION II - VESSEL BERTHING AND DOCKAGE

DOCKAGE DEFINED

Dockage is the charge assessed against a vessel for berthing at a wharf, pier, bulkhead structure, or bank, or for mooring to a vessel so berthed.

Item No.
205

DOCKAGE APPLICATION

Dockage applies to all vessels using the facilities of the Port of Redwood City at the full dockage rates stated in Item 230, except for exemptions given in Item 210. This charge is in addition to all other tariff provisions.

Item No.
208

DOCKAGE - EXEMPTIONS

- (A) At the discretion of the Port Manager, dockage charges may be waived for combat, training or survey vessels of the United States, similar vessels of another nation, or survey vessels of the State of California.
- (B) Dockage charges for barges, lighters and tugs employed within the Port of Redwood City may be negotiated on a monthly basis upon application to the Port.
- (C) A vessel charged for or having paid dockage for a period of 24 hours may use the same or another assigned berth during that period without additional dockage charge, regardless of how many times she may leave and return.
- (D) The Port may enter into a contract with reference to dockage for vessels or lighters not under F.M.C. jurisdiction and not engaged in waterway trades (Item 106). In absence of such contact, the rates in this section shall apply.
- (E) One half of the 24 hour dockage charge per day will apply to a vessel berthed offshore to a vessel that is paying full dockage.
- (F) Vessels on regular daily schedules leaving from and returning to a berth in the Port will be assessed only one full day's dockage in any 24 hour period.

Item No.
210 (C)

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SECTION II - VESSEL BERTHING AND DOCKAGE

DOCKAGE - BASIS FOR COMPUTING CHARGES

Item No.
215

- (A) Dockage is based on the overall length of the vessel (L.O.A.) and the period of time on berth.
- (1) Vessel's length given in meters, in Lloyds' Register and/or the Certificate of registry will be used. If the length is not shown in these documents, the Port will measure the vessel's linear distance from the extreme point of the bow to the extreme point of the stern.
- (2) The period of time, for which dockage is assessed, starts when the vessel is made fast to a wharf, bulkhead structure, bank or to another vessel so berthed, and continues until the vessel is freed from moorings and vacates the berth.
- (B) In computing dockage charges, use the table of lengths and rates per 24 hour period shown in Item 220.
- (C) A full day's dockage is charged for each 24 hours or fraction thereof.
- (1) If a vessel's status changes within a 24 hour period, the dockage charge for that period will be the higher of either status.

DOCKAGE - WHEN DUE AND PAYABLE

Item No.
218

Dockage charges are due and payable upon presentation, and payment must be made before the vessel departs the facility unless the vessel's owner(s) or agent has (have) arranged with the Port for payment. (See Item 104)

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SECTION II - VESSEL BERTHING AND DOCKAGE

DOCKAGE RATES

Item No.
 220 (A)

Charges for dockage will be assessed as follows:

Length of Vessel Overall (Meters)		Rate per 24 Hour Day
<u>Over</u>	<u>Not Over</u>	<u>Rate</u>
0	30	\$ 87.00
30	45	\$ 132.00
45	60	\$ 180.00
60	75	\$ 249.00
75	90	\$ 372.00
90	105	\$ 586.00
105	120	\$ 839.00
120	135	\$ 1,133.00
135	150	\$ 1,471.00
150	165	\$ 1,855.00
165	180	\$ 2,278.00
180	195	\$ 2,747.00
195	210	\$ 3,255.00
210	225	\$ 3,808.00
225	240	\$ 4,400.00
240	255	\$ 5,041.00
255	270	\$ 5,720.00

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SECTION III - WHARFAGE

WHARFAGE DEFINED

Wharfage is the charge assessed against cargo or merchandise, vessel's stores, fuel and supplies for passage on, over, under or through any wharf, pier, or bank controlled by the Port of Redwood City, or between vessels or overside vessels (to or from barge, lighter or water) when berthed at a wharf, pier or bank controlled by the Port of Redwood City (See Note 1).

NOTE 1: Wharfage rates do not include sorting, weighing, marking, sampling, inspecting, cooping, recording marked weights or numbers, or loading or unloading to or from railroad cars or motor vehicles, stevedoring, demurrage, handling, customs charges, revenue stamps or fees of any nature imposed by the State or Federal Government against the shipment or vessels transporting the shipment.

Item No.
300

WHARFAGE - APPLICATION OF

(A) Wharfage, at rates stated in Item 350, applies to all cargoes, except those shown as exemptions in Item 308.

(B) The rates, rules and regulations applicable to wharfage are those in effect on the date that:

- (1) On outbound cargo - the vessel commences loading, or the cargo is removed from the facility.
- (2) On inbound cargo - the vessel commences discharging.

(C) The same wharfage rates apply whether the cargo is discharged onto or loaded from a wharf, or overside to another vessel, or to or from the water, unless otherwise stated in an individual tariff item.

Item No.
305

WHARFAGE EXEMPTIONS

Wharfage is not charged on:

- (1) Stevedoring equipment used in loading or discharging cargo at the Port;
- (2) Cargo which a vessel discharges and reloads prior to departure, in order to discharge or load other cargo.
- (3) Outbound movement of cargo on which full (highest) wharfage has been paid on the inbound movement and the cargo has not left the Port. This must be a continuous movement of the cargo through the Port and the accumulation time at the Port facility is not longer than the free time allowed.

Item No.
308

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SECTION III - WHARFAGE

WHARFAGE - WHEN DUE AND PAYABLE

Item No.
310

Wharfage is due from the owners of the cargo or merchandise, vessel's stores, fuel and supplies on which wharfage is assessed. The collection of wharfage must be guaranteed by the vessel, her owners or operators, and use of the facilities as defined in Item 300, shall be deemed an acceptance and acknowledgment of this guarantee. Wharfage shall be due and payable upon presentation.(See Exception).

Exception: When it is requested that the wharfage charges be assessed and collected directly from the cargo owner or a Federal agency, and where satisfactory guarantee of payment is given to the Port, the wharfage charges will be assessed and collected from the cargo owner or Federal agency making the request in lieu of collection from the vessel as provided above.

WHARFAGE APPLICATION ON TRANSFERRED AND TRANS-SHIPED CARGO

Item No.
320

- (A) Transferred cargo is cargo unloaded at the Port of Redwood City from a land carrier and removed by a land carrier and destined to an ocean terminal or ocean carrier other than at the Port of Redwood City. Transferred cargo will be assessed full wharfage charges on the foreign or offshore trades under Item 106 and Item 350 of this tariff. (Subject to Note)
- (B) Cargo unloaded at the Port of Redwood City from land carrier and removed by land carrier, destined to an activity other than related to ocean transportation, will be assessed 1/2 the full wharfage charges based on foreign or offshore trades under Item 106 and Item 300 of this tariff (Subject to Note). However, all cargo received inbound whether by land or ocean carrier at the Port's tank facility at berth 5, will be assessed a single full wharfage charge to be applied only at the time of inbound movement.
- (C) On transshipment, when cargo is handled between vessels at the same terminal, or is moved directly from one terminal to another in the Port of Redwood City, only one wharfage charge will be assessed based on the highest rates on the trade involved.

NOTE: On transferred cargo, the operator or lessee will be responsible for reporting and payment of wharfage charges to the Port of Redwood City.

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SECTION III - WHARFAGE

WHARFAGE BASIS FOR CHARGES

Item No.
340

- (A) Wharfage is based and assessed on the schedule of rates in Item 350 (in addition to other charges named in this tariff) and subject to the provisions of this section.
- (B) Wharfage rates are in cents (unless otherwise shown) per metric ton, 1,000kgs. (2204.6 lbs.), per cubic meter (35.315 cu.ft.) or per 1,000 feet board measure, on basis weight or measure as the cargo is ocean freighted unless stated otherwise.
- (C) Cargo, not freighted under established ocean tariff rates, but moving between points served by conference carriers, will be assessed wharfage based on W/M same as conference carried.
- (D) On cargo, on which ocean freight is assessed on other than weight or measure (e.g. per package, each, etc.), the wharfage charges are based as follows:
 - (1) Cargo, moving in Inland Waterway, Coastwise and Intercoastal Trades: per metric ton (1,000 kgs.) unless otherwise stated in individual items.
 - (2) Cargo, moving in foreign or offshore trades: per metric ton (1,000kgs.) or per cubic meter (35.315 cu.ft.) whichever produces the greater revenue, unless otherwise stated in individual items.
 - (3) Cargo, when ocean rates are based on a combination of weight and measure: wharfage is based on measurement.
- (E) Cargo, in containers, is assessed wharfage on a per container basis.
- (F) Vessel's stores are assessed wharfage on metric tons(1,000kgs.). Less than 3 metric tons are not charged.
- (G) Vessel's dunnage is assessed wharfage on board feet. Less than 2,000 ft. B.M. are not charged.
- (H) Cargo, on which wharfage charges have been assessed, may be shipped from the same terminal or another facility within the Port of Redwood City without additional wharfage, provided that the wharfage paid is based on the highest rates if two trades are involved. (See Item 106)

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SECTION III - WHARFAGE

WHARFAGE RATES

Item No.
 350 (A)

Rates are based in dollars per 1,000 kilos, or per cubic meter, according to vessel's manifest, except as otherwise provided.

ARTICLES

RATES

Boats, including launches, skiffs and yachts (including trailers and/or cradles)
 (Subject to Note 1) Per Cubic Meter \$ 3.68

NOTE 1: When shipped in cradles or on trailers the length of the cradle or trailer shall be included in the overall measurement.

Cargo N.O.S., including vessel's stores and supplies \$ 5.74

Cargo N.O.S., in containers \$ 5.74

Cargo in bulk, viz: Beans, Copra, Cottonseed, Feed, Grain or Grain Products, Peas, Pellets (Alfalfa or Beet Pulp), Safflower Seed, Seeds, Soybeans \$ 1.41

Cargo, dry, in bulk, not subject to count, bagged in minimum 50 lb. capacity bags, not in containers \$ 1.41

Cargo, in bulk, N.O.S \$ 1.52

Cargo, or merchandise, dry, in bulk, moving in containers(per 1,000 kgs.) \$ 5.74

Coffee, green, in bags (per 1,000 kgs.) \$ 5.74

Fruits and vegetables, fresh, manifested on a per package basis (per 1,000kgs.) \$ 5.74

Cement, in bulk, N. O. S. \$ 1.67

Cement Clinker, in bulk, N.O.S \$ 1.67

Concrete Pilings, subject to count \$ 2.79

Fuel, Bunker for use of vessel to which delivered
 Ex barge to vessel (per 1,000 kgs.) \$ 0.88
 Ex car or truck to vessel (per 1,000 kgs.) \$ 1.57

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SECTION III - WHARFAGE

WHARFAGE RATES (Continued)

Rates are based in dollars per 1,000 kilos, or per cubic meter, according to vessel's manifest, except as otherwise provided.

Item No.
 350 (A)
 (Continued)

<u>ARTICLES</u>	<u>RATES</u>
Gypsum Rock, in bulk, when handled through hopper or ship unloader system	\$ 1.34
Liquids, other than petroleum or petroleum products, in bulk, for use as a fuel additive, or directly for energy usage, to or from vessel direct through pipeline or direct from vessel to barge (per 1,000 kgs.)	\$ 1.39
Livestock, and other animals: (Per head)	\$ 5.46
NOTE 1: The acceptance for handling of livestock shall be subject to special arrangements with terminal operator and governed by rules and regulations of the Federal, State and Local Authorities.	
NOTE 2: Feed for livestock is subject to wharfage and other charges	
Lumber or Forest Products (See NOTE 1)	
viz. Ash, Hickory, Oak, Mahogany or all other hardwood lumber or timber (See NOTE 2), per 1,000 ft. B.M.	\$ 8.42
viz. Cedar, Fir, Pine, Redwood, Spruce or all other softwood lumber or timber (See NOTE 2), including Laths or Ties, per 1,000 ft. B.M.	\$ 7.02
Piles or Poles, per lineal foot	\$ 0.30
Dunnage or ship lining, per 1,000 ft. B.M.	\$ 7.02
Plywood, veneered wood or wood hardboard, coastwise, inbound per MT	\$ 4.73
Hardwood Logs, per 1,000 ft. B.M.	\$ 7.85
Softwood Logs and Cants, per 1,000 ft. B.M. Scribner Scale	\$ 7.41
EXCEPTIONS: Coastwise, inbound, per 1,000 ft. B.M.	\$ 4.35
NOTE 1: The same rates will apply whether articles are discharged on or loaded from wharf or are discharged or loaded overside vessel directly to or from the water in any slip, dock basin or canal.	
NOTE 2: If freighted by vessel on other than a B.M. basis the Cargo, N.O.S. rate shall apply	

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SECTION III - WHARFAGE

WHARFAGE RATES (Continued)

Rates are based in dollars per 1,000 kilos, or per cubic meter, according to vessel's manifest, except as otherwise provided.

Item No.
 350 (A)
 (Continued)

ARTICLES

RATES

Merchandise, N.O.S., carried in cargo containers or trailers, manifested and assessed freight by the vessel on a per container or per trailer basis or assessed a minimum charge, minimum weight or flat rate per container or trailer will be assessed charges based on the weight or measure of the cargo whichever is greater, and if either or both weight and measure of the cargo are not available, then the charges will be based on the overall length of the container, as follows:

(Per container multiply factor by rates specified under cargo, N.O.S.)

<u>Length</u>	<u>Factor</u>
0 - 7 Meters-----	31
7 - 9 Meters-----	38
over 9 Meters-----	62

Note: See Cargo N.O.S. in this item for rates assessed on weight or measure.

Metals: Loose in bundles, coils or packages viz: angles, bars, beams, billets, blanks, bolts, channels, ingots, nails, nuts, pigs, pipe, plate, rails, rods, screws, sheet, stamping slabs, structurals, tie plates, tin plate, unfinished shapes, washers and wire including barbed wire \$4.62

Petroleum or Petroleum Products, viz: Gasoline, Jet Fuel, Diesel or Fuel Oil, Crude Oil, Oil Slops (oil and water) in bulk to or from vessel direct through pipeline or direct from vessel to barge per 1,000 kgs. \$1.39

Passengers, embarking, disembarking or round trip, per person:

Cruises	\$7.00
Excursions	\$1.60

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SECTION III - WHARFAGE

WHARFAGE RATES (Continued)

Rates are based in dollars per 1,000 kilos, or per cubic meter, according to vessel's manifest, except as otherwise provided.

Item No.
 350 (A)
 (Continued)

<u>ARTICLES</u>	<u>RATES</u>
-----------------	--------------

Scrap Iron, Steel, or other metals, not subject to piece count, in bulk	\$ 2.87
---	---------

United States Mail	\$ 10.02
--------------------	----------

Vans, Cargo, shipping empty, as defined in Item 10, listed below per container.
 (See exception):

Overall Length:	Less Than 7 Meters	\$ 8.58
Overall Length:	7 - 9 Meters	\$ 11.03
Overall Length:	Over 9 Meters	\$ 17.16

EXCEPTION: No wharfage will be charged on steamship carrier owned or controlled vans when shipped free of freight charges

Vehicles, Motor self-propelling, per vehicle	
Automobiles, pleasure or passenger, including pick-up trucks or chassis, not exceeding 10 passengers,	\$ 20.84
When originating from or destined to OCP Territory	\$ 17.16
When privately owned	\$ 25.84

Vehicles, Commercial, including chassis, freight trailers, agricultural, earth moving or road-making equipment, per metric ton.	\$ 15.93
---	----------

Vehicles, Empty other than self-propelling, viz: Trailers, House or Vacation, Homes, Mobile S.U.; with or without wheels, per cubic meter	\$ 3.96
---	---------

MINIMUM CHARGE PER CONTAINER

Merchandise, carried in cargo vans or containers, will be subject to a minimum charge per container as follows:

Overall Length:	Less Than 7 Meters	\$83.00
Overall Length:	Greater Than or Equal to 7 Meters	\$108.00

Item No.
 375 (A)

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SECTION IV - FREE TIME, DEMURRAGE AND STORAGE

DEFINITION OF TECHNICAL TERMS

Item No.
400

- (A) Free Time: Is the specified number of days, during which cargo may occupy space on a Port facility without being subject to wharf demurrage or storage charges.
- (B) Wharf Demurrage: Is the charge assessed against cargo that is not declared and accepted for storage and remains on Port Facilities beyond free time allowed.
- (C) Wharf Storage: Is the charge assessed, after expiration of free time, for storage.

DISPOSITION OF MERCHANDISE AFTER EXPIRATION OF FREE TIME

Item No.
405

Freight remaining on Port premises after expiration of free time and freight shut out at clearance of vessel may, at the discretion of the Port Manager, be allowed to remain where situated, be piled or repiled to make space, be transferred to other locations on the terminal premises, or be removed to public or private warehouse, with all expense and risk of loss and damage for account of the owner, shipper, consignee or carrier as responsibility may appear. (Subject to Item 114)

FREE TIME

Item No.
406

- (A) Unless otherwise provided, the free time periods allowed, exclusive of Saturdays, Sundays and Holidays, shall be as follows: (See Exceptions)

<u>TRADE (As defined in Item 106)</u>	<u>INBOUND</u>	<u>OUTBOUND</u>
Coastwise	5 days	3 days
Inland Waterway	5 days	5 days
Intercostal	5 days	10 days
Foreign and Offshore	7 days	10 days

- (B) Cargo transhipped between vessels involving a long and a short free time period shall be allowed the longer free time period but in no case shall such cargo be allowed the aggregate of the inbound and outbound free time periods.

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SECTION IV - FREE TIME, DEMURRAGE AND STORAGE

FREE TIME (Continued)

EXCEPTIONS:

- (1) When a vessel, the sailing date of which has been announced by the Port of Redwood City does not arrive within the free time periods stated in this item because of stress of weather, accident, breakdown or other emergency, the free time period will be extended by a period not to exceed ten (10) days. Thereafter, the wharf demurrage rates shown in this tariff shall be assessed against the cargo. This exception does not apply on cargo against which wharf demurrage or storage charges have accrued prior to the scheduled sailing date announced by the Port of Redwood City.
- (2) The Port Manager may extend the allowable free time on any merchandise if terminal operators or movement of merchandise are interrupted by war, earthquake, flood, riot or any unusual occurrence which, in the judgment of the Port Manager, warrants the extension of such free time.

Item No.
406
(Continued)

ASSEMBLY TIME

Upon Shipper's/Consignee's request and subject to terminal space availability, the Port Manager may grant time of up to 20 days exclusive of Saturdays, Sundays and Holidays beyond the regular free time allowance provided for in this Tariff for assembling cargo lost aggregating 200 revenue tons or more which constitutes an export/import shipment for loading or unloading to or from a specially named vessel.

Item No.
407

MINIMUM CHARGE

- (A) WHARF DEMURRAGE: The minimum charge shall be eleven dollars and fifty cents (\$11.50).
- (B) DAILY STORAGE: When freight is stored on a daily basis for a period of less than 5 days, a minimum of 5 days storage will be assessed at the rates shown in individual items, subject to a minimum charge of eleven dollars and fifty cents (\$11.50) per month or fraction thereof on each invoice issued.
- (C) MONTHLY STORAGE: The storage charge shall be sixteen dollars and seventy five cents (\$16.75) per month or fraction thereof.

Item No.
408 (A)

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SECTION IV - FREE TIME, DEMURRAGE AND STORAGE

STORAGE UNDER STRIKE CONDITIONS

Item No.
412

Cargo which cannot be removed from the Port due to a general waterfront strike of five calendar days or more, or work stoppage of waterfront labor engaged in handling cargo which curtails Port operations for five calendar days or more will be subject to the following:

- (A) Cargo on Free Time: Strike bound cargo will be continued on free time until the maximum free time allowed under this Tariff has expired. The exception in Item 406 will not be applicable in the computation of free time under the provisions of this Item. Upon expiration of free time, storage charges will be assessed under the provisions of Paragraph (B) of this Item.
- (B) Cargo on Demurrage or Storage: Cargo on Demurrage Daily Storage or Monthly Storage will be subject to either Daily or Monthly Storage under the storage rates in this Section, whichever results in the lowest charge during any calendar month in which the strike is in effect
- (C) Charges Applicable After Strike Ends: Strike bound cargo remaining on hand the first day of the first calendar month following the end of the strike will be subject to Daily Storage, unless prior arrangements have been made with the Port for Monthly Storage.

TRANSFER OF OWNERSHIP

Item No.
415

Wharf demurrage charges, storage charges and receiving and delivery charges, are for the account of the cargo and any transfer of ownership after the cargo is received on a terminal will not entitle cargo to any additional free time by reason of such transfer of ownership.

ACCEPTANCE OF CARGO FOR STORAGE

Item No.
418

- (A) Application must be made in advance to the Port of Redwood City for wharf storage on a daily basis, and acceptance of the cargo for storage is at the option and convenience of the Port and its terminal operator.
- (B) When operating conditions permit, the Port may allow cargo to remain where already placed, or the Port may have cargo moved and stored elsewhere on the facility. When the Port furnishes such labor, the labor man hour rates specified in Item 915 apply.

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SECTION IV - FREE TIME, DEMURRAGE AND STORAGE

TERMINAL'S LIABILITY

Item No.
420

- (A) For the purpose of fixing the maximum limit of the terminal's liability for loss or damage to cargo, the value of cargo shall be conclusively presumed to be not in excess of twenty-five (25) cents per 0.4536 kg. per piece (including all Government duties and excise tax), unless a greater value shall be declared as herein provided. At the time the cargo is placed in Wharf Demurrage or Storage the storer, subject to the provisions of part(B) hereof, may declare in writing a value greater than twenty-five (25) cents per 0.4536kg per piece, and in the event such declaration is made the value of the cargo shall be conclusively presumed to be not in excess of the value so declared. In no case shall the terminal's liability exceed the actual value of the cargo.
- (B) In the event that storer elects to declare the value of his cargo to be in excess of twenty-five (25) cents per 0.4536 kg. per piece as provided in Part (A) hereof, the Wharf Demurrage or Storage rate or minimum charge applicable thereto will be subject to an additional charge per day, period or month as shown in connection with applicable rate equal to 1/4 of one percent of the excess value so declared.

Where the value of cargo changes after storer's original declaration, it will be incumbent upon storer to declare a new value in writing in order to obtain a revision of charges under this item.

APPLICATION OF RATES

Item No.
425

- (A) APPLICATION OF WHARF DEMURRAGE AND/OR WHARF STORAGE RATES: Wharf Demurrage and Wharf Storage (as defined in Item 400) will be assessed charges on the same basis as Wharfage is assessed.
- (B) WHARF DEMURRAGE (as defined in Item 400) will be assessed against all cargo that has not been accepted for storage and remains on Port Facilities beyond free time allowed.
- (C) WHARF STORAGE (as defined in Item 400). Upon prior application and acceptance of property for storage, rates applicable to such service shall be subject to the following provisions:
- (1) Daily Storage:
- (a) Daily storage applies for a 24 hour period, or fraction thereof, commencing with midnight of one day to midnight of the following day and includes Saturdays, Sundays and Holidays
- (b) Merchandise that has been accepted for daily storage can later be accepted for monthly storage effective with the date of acceptance for monthly storage.

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SECTION IV - FREE TIME, DEMURRAGE AND STORAGE

APPLICATION OF RATES (Continued)

Item No.
425
(Continued)

(2) Monthly Storage:

- (a) Except as otherwise provided in Paragraph (2) herein, monthly storage periods shall extend from a date in one calendar month to, but not including the same date of the next and all succeeding calendar months; but if there is no corresponding date in the next succeeding calendar month, it shall be extended to and include the last day of the month. When the last day of the final storage month falls on Sunday or a legal Holiday, the storage month shall be deemed to expire on the next succeeding business day.
- (b) Upon agreement between the terminal and the owner of the merchandise or his agent, monthly storage charges will not be computed under the provisions of Paragraph (2) (a) hereof but will, instead be computed on the first of month balance system as follows:
 - (i) When the storage period commences on or before the fifteenth day of the month, a full month's storage shall be assessed for that month. A full month's storage shall be charged on the merchandise on hand the first day of the following month thereafter.
 - (ii) When the storage period commences after the fifteenth day of the month, storage charges for one-half month shall be assessed for that month. A full month's storage shall be charged on the merchandise on hand on the first day of the following month and for each succeeding month thereafter.
- (c) Merchandise accepted for monthly storage cannot revert to daily storage.

NOTE 1: Rates provided in this Section will not apply on bulk commodities (as defined in Item 10) handled mechanically through specialized facilities.

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SECTION IV - FREE TIME, DEMURRAGE AND STORAGE

WHARF DEMURRAGE RATES

Item No.
 430 (A)

Rates are in dollars per ton of 1,000 kilograms or per cubic meter or other unit on the same basis as Wharfage is assessed, except as otherwise shown. Including Saturdays, Sundays and Holidays.

<u>COMMODITY</u>	<u>First 5 Days or Fraction Thereof</u>	<u>Each Additional 5 Days or Fraction Thereof</u>
Merchandise, NOS	\$1.73	\$3.43
Lumber, per 1,000 feet ,or fraction thereof	\$1.73	\$3.27
Shingles, Wooden, per 40 bundles or fraction thereof	\$1.64	\$3.27
Vehicles, Motor on wheels or treads	\$4.13	\$8.24

APPLICATION OF WHARF DEMURRAGE ON COMMODITY RATE FACTOR BASIS FOR COMMODITIES LISTED. SEE ITEM 435

Item No.
 434

(A) FOR COMMODITIES WITH A RATE FACTOR OF 1:

- (1) Manifested on a Per Container Basis: Wharf Demurrage Commodity Rate Factors specified in Item 435 will apply.
- (2) Manifested on any other Basis: The Merchandise NOS rate in Item 430 will apply.

(B) FOR COMMODITIES WITH A RATE FACTOR GREATER THAN 1:

- (1) Manifested on a weight on Measure Basis:
 - (a) If a measure is available, wharf demurrage will be assessed on a weight or measure basis whichever yields the greater revenue.
 - (b) If measure is unavailable, wharf demurrage will be determined by multiplying the commodity rate given by the appropriate Merchandise NOS rate in Item 430.
- (2) Manifested on a Per Container Basis: Wharf Demurrage Commodity Rate Factors specified in Item 435 will apply.
- (3) Manifested on any other basis: Merchandise, NOS rate in Item 430 will apply.

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SECTION IV - FREE TIME, DEMURRAGE AND STORAGE

WHARF DEMURRAGE COMMODITY RATE FACTOR

Item No.
435

NOTE 1: For all commodities listed below, carried in containers, the maximum rate applicable will be based on the appropriate per container Wharf Demurrage Commodity Rate Factor listed in Item 435.

To determine applicable rate in cents per ton of 1,000 kilograms multiply factor by appropriate merchandise NOS rate specified in Item 430.

<u>COMMODITY</u>	<u>COMMODITY RATE FACTOR</u>
Antiques, Bric-a-brac, Garret Material	8.5
Appliances, Household, viz.: Clothes dryers, dishwashers freezers, refrigerators, stoves, washing machines, water heaters	5.0
Beer and other Malt Liquors, canned or bottled	1.15
Bicycles	8.0
Borax, Boric Acid, Borates	1.0
Cereal, grains, dried beans, dried peas in bags weighing not less than 22 kgs.	1.0
Clothing, New	5.0
Cotton, Cotton Linters, in Bales	1.0
Diatomaceous Earth	1.0
Electrical Equipment, viz.: Radios, stereos, phonographs, tape players, receivers and other audio sound equipment accessories and parts, NOS; Christmas lighting sets; fans, light bulbs, including florescent and mercury lamps; space heaters; television sets, video disk players, projectors, recorders, screens, tuners, computers and computer parts, NOS	6.0
Feeds, Animal, in bales	1.0
Fish and Shellfish, Fresh/Frozen	1.0
Food and Food preparations, canned or bottled	1.15
Food or Food preparations, dry, dehydrated or freeze dried or processed, packaged in boxes - EXCEPTION: Does not include dried fruits	6.0
Footwear	7.25
Fruit, dried	1.0
Hides or Skins	1.0
Household Goods and Personal Effects	8.0
Meat and Poultry, Fresh/Frozen	1.0
Motorcycles	6.25
Resins	1.5
Scrap Metal	1.0
Tires and Tubes	5.0
Tobacco, and Tobacco products	4.5
Waste Paper	1.0

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SECTION IV - FREE TIME, DEMURRAGE AND STORAGE

WHARF DEMURRAGE COMMODITY RATE FACTOR (Continued)

Item No.
 435
 (Continued)

WHARF DEMURRAGE RATE PER CONTAINER

Merchandise, NOS, carried in cargo containers or trailers, manifested and assessed freight charges by the vessel on a per container or per trailer basis or assessed a minimum charge, minimum weight or flat rate per container or trailer will be assessed charges based on the weight or measure of the cargo whichever is greater, and if either or both weight and measure of the cargo are not available, then the charges will be based on the overall length of the container as follows:

Per Container, - Multiply factor by rates specified in Item 430

<u>Length</u>	<u>Factor</u>
0 - 7 Meters	31
7 - 9 Meters	38
Over 9 Meters	62

NOTE: See Item 430 for assessments on weight or measure basis.

WHARF STORAGE RATES

Item No.
 440 (A)

In dollars per 1,000 kilograms except as otherwise shown. Column A - Daily Storage Rates, per day or fraction thereof inclusive of Saturdays, Sundays and Holidays. Column B - Monthly Storage Rates, per month or fraction thereof.

<u>COMMODITY</u>	<u>RATES COLUMN A</u>	<u>RATES COLUMN B</u>
Merchandise in bond	See Item 443	No Monthly Rates
Merchandise, NOS, per 1,000 kgs. or cubic meter, whichever produces the greater revenue	\$0.24	\$2.89
Merchandise, NOS, per 1,000 kgs. or cubic meter, whichever produces the greater revenue - when held in uncovered areas (see Note 1)	\$0.17	\$2.20

Note: 1 Applies when outside uncovered storage is requested by shipper or consignee of goods. Will not apply where commodity rates are specifically named for either covered or uncovered storage.

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SECTION IV - FREE TIME, DEMURRAGE AND STORAGE

WHARF STORAGE RATES (Continued)

In dollars per 1,000 kilograms except as otherwise shown. Column A - Daily Storage Rates, per day or fraction thereof inclusive of Saturdays, Sundays and Holidays. Column B - Monthly Storage Rates, per month or fraction thereof.

Item No.
 440 (A)
 (Continued)

<u>COMMODITY</u>	<u>RATES COLUMN A</u>	<u>RATES COLUMN B</u>
Merchandise, N.O.S., carried in cargo containers or trailers, when held in uncovered areas, manifested and assessed freight charges by the vessel on a per container or per trailer basis or assessed a minimum charge, minimum weight or flat rate per container or trailer will be assessed charges based on the weight or measure of the cargo whichever is greater, and if neither weight nor measure of the cargo is available, then the charges will be based on the overall length of the container as follows:	(Per Container) Multiply factor by merchandise N.O.S rates specified herein.	No Monthly Rates
OVERALL LENGTH OF CONTAINER	FACTOR	
0 - 7 Meters	31	No
7 - 9 Meters	38	Monthly
Over 9 Meters	62	Rates
Canned Goods, N.O.S. (except dried, dehydrated or frozen), in cases or crates	\$0.16	\$1.64
Coffee, green, in bags, per ton of 1,000 kgs	\$0.18	-----
Cotton, Cotton Linters, compressed, in bales	\$0.19	\$2.48
Fruit, dried in bags or cases	\$0.16	\$1.64
Iron or Steel Articles, N.O.S., when held in uncovered areas	\$0.16	\$1.31
Iron or Steel Articles, N.O.S., when held in covered areas	\$0.17	\$1.79

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WHARF STORAGE RATES (Continued)

In dollars per 1,000 kilograms except as otherwise shown. Column A - Daily Storage Rates, per day or fraction thereof inclusive of Saturdays, Sundays and Holidays. Column B - Monthly Storage Rates, per month or fraction thereof.

Item No.
 440 (A)
 (Continued)

<u>COMMODITY</u>	<u>RATES COLUMN A</u>	<u>RATES COLUMN B</u>
Iron or Steel Pipe, N.O.S.	\$0.18	\$2.26
Liquor, i.e. Alcoholic Beverages	\$0.25	\$2.93
Lumber per 1,000 feet BM, in covered areas	\$0.35	-----
Lumber per 1,000 feet BM, in uncovered areas	\$0.19	-----
Milk or Milk Products, dried in packages	\$0.18	\$2.06
Ore and Ore Concentrates, in bulk or packages, when held in uncovered area	\$0.16	\$1.31
Paper and Paper Articles, viz:		
Bags	\$0.26	\$1.41
Boxes, Fiber, Corrugated, K.D. Folded	\$0.30	\$3.92
Napkins, Towels	\$0.40	\$6.56
Newsprint, in Rolls	\$0.13	\$1.31
Pulpboard, in rolls	\$0.19	\$1.75
Tissues, NOS including toilet paper	\$0.30	\$3.92
Waste, in machine compressed bales or bundles	\$0.28	\$1.75
Wrapping Paper	\$0.26	\$3.06
Petroleum and petroleum products, in packages, Outbound only	\$0.17	\$1.78
Pipe, Asbestos and/or Cement, when held in uncovered areas	\$0.17	\$1.78
Plywood or Veneer, N.O.S. in packages	\$0.28	\$3.51
Rice	\$0.17	\$1.78

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SECTION IV - FREE TIME, DEMURRAGE AND STORAGE

WHARF STORAGE RATES (Continued)

In dollars per 1,000 kilograms except as otherwise shown. Column A - Daily Storage Rates, per day or fraction thereof inclusive of Saturdays, Sundays and Holidays. Column B - Monthly Storage Rates, per month or fraction thereof.

Item No.
 440 (A)
 (Continued)

<u>COMMODITY</u>	<u>RATES COLUMN A</u>	<u>RATES COLUMN B</u>
Sugar N.O.S. in sacks	\$0.17	\$1.78
Tin Plate	\$0.17	\$1.78
Vehicles, Motor on wheels, not boxed (as Described in Item 350)		
When stored in closed areas	\$1.11	\$24.97
When stored in open areas	\$0.57	-----
Wire or Strapping in cartons, boxes, crates on skids or on reels	\$0.18	\$1.78
Yachts and Small Boats (applicable to Intercoastal Trade only):		
For the first 14 calendar days after expiration of free time	\$0.57	No Monthly Rates
For each day exceeding 14 calendar days	\$1.11	No Monthly Rates

WHARF STORAGE - MERCHANDISE IN BOND

When merchandise in bond is accepted for storage on the terminal, daily storage rates shown in Item 440, plus 50 percent, will apply unless otherwise provided. Any charge made by the Collector of Customs, in connection with deliveries from bonded section of terminal, is to be paid directly to Customs by the party or parties for whose account the service is rendered.

Item No.
 443

SPACE RENTAL

Written application is required for space rental for cargo storage. Charges are per month or fraction thereof and subject to a minimum of 1,000 sq.ft. area:

Covered areas - per sq.ft. ----- \$0.78
 Uncovered areas ----- to be negotiated

Item No.
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SECTION V - SERVICE AND FACILITIES

SERVICE AND FACILITIES CHARGE APPLICATION

Item No.
 500 (C)

- (A) When stevedoring and terminal work are done by other than the Port of Redwood City, the Service and Facilities Charge shall be assessed against the stevedore or contractor for the ship's cargo handled through the Port's facilities. (See Note 1)
- (B) The Service and Facilities Charge permits the movement of stevedoring equipment and personnel onto and around the terminal areas to and from the vessel, provides for the use of restroom area, temporary office space on the terminal and parking area for personnel working the vessel and cargo and Port security. Full Service and Facilities Charges will apply once on all cargo unloaded from a land carrier and removed by a land carrier at the Port's facilities. (See Note 2).
- (C) These charges are in addition to all other applicable charges in this Tariff.

Note 1: No Service and Facilities charge will be assessed against cargo in containers as defined in Item 10.

Note 2: For all cargo received inbound, whether by land or ocean carrier at the Port's tank facility at Berth 5, a single Service and Facilities charge will be assessed only at the time of the inbound movement.

SERVICE AND FACILITIES CHARGE

Item No.
 501 (A)

Rates are based in dollars per 1,000 kilograms, or per cubic meter, according to vessel's manifest, except as otherwise provided.

ARTICLES

RATES

Cargo, dry or liquid, N.O.S	\$ 2.68
Cargo, dry or liquid, in bulk, viz.	
When handled through hopper or ship unloader system	\$ 1.45
When handled through pipeline between vessel and shore facility	\$ 1.38
Scrap metal – to vessel over conveyor system	\$ 2.27
Scrap metal – N.O.S.	\$ 2.41

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SECTION VI - CARGO HANDLING

CARGO HANDLING DEFINITIONS

Item No.
600

- (A) The term "Handler" is defined to mean any person, firm or corporation engaged in the business of handling cargo or merchandise on municipal wharves and facilities, whether in the capacity of stevedore, handler, car loader, car unloader or vessel operator or agent, and either for his own account or for the account of others.
- (B) A Cargo Handling Permit is defined to mean the right granted by the Commission to a handler to operate upon municipal wharves and other facilities.
- (C) Handling Permit Fees are defined to mean the fees assessed by the Commission for such cargo handling permits.

PERMIT REQUIRED

Item No.
605

It shall be unlawful for any handler, as defined in Item 600, to engage in the business of handling cargo or merchandise on the municipal wharves or facilities without first securing a Cargo Handling Permit from the Port Manager.. Such permits shall be issued by the Port Manager and approved by the Commission.

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SECTION VI - CARGO HANDLING

EXEMPTIONS

Item No.
610

Cargo handling permits shall not be required for handling operations at the following wharves and facilities or under the following conditions:

- (1) At bulk oil wharves and small boat marine oil service stations, as designated by the Commission.
- (2) When a truck operator or railroad company performs the service of loading or unloading freight and absorbs the cost of such service in the rate for transportation and makes no extra charge for loading or unloading.
- (3) When, in the discretion of the Commission or the Port Manager, the public interest or existing conditions may warrant suspension of the requirement that handlers secure the necessary cargo handling permits.

CARGO HANDLING PERMIT FEES

Item No.
615 (A)

The Cargo Handling Permit Fee shall be five hundred fifty six dollars (\$556.00) per calendar year, payable in advance.

REVOCATION AND PENALTIES

Item No.
625

Cargo handling permits shall be revocable by the Commission at any time for such cause as the Commission may deem just and sufficient.

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SECTION VII - MISCELLANEOUS CHARGES

CAR LOADING/UNLOADING

Item No. 900

The Port of Redwood City reserves the right to perform the service of car loading and unloading between car and terminal or facility.

(A) Car Loading/Unloading rates will be applied per the provisions of Item 910.

(B) Rates in this Item do not apply on:

- (1) Cargo in bulk (See Item 10).
- (2) Direct loading or unloading between ships and railcar when performed by the ship's stevedore. On request, the Port will supply the men needed for the car work only. All provisions applicable in Item 910 will apply.

SECURITY FEES - SECURITY GUARDS

Item No. 905

United States Government regulations require that trained security guards ("Security Guards") be posted in the restricted areas encompassing the dock for the entire period during which a vessel subject to such regulations is berthed.

The cost of providing Security Guards is for the account of the vessel's owner(s). These charges are in addition to all other applicable charges in this Tariff.

Security Guard Fees are due and payable upon presentation, and payment must be made before the vessel departs the facility unless the vessel's owner(s) or agent has (have) prearranged terms of payment with the Port of Redwood City.

SECURITY FEES – CARGO TONNAGE & PASSENGER ASSESSMENT

Item No. 906
(A)

Maritime users of Port of Redwood City facilities will be charged a security fee to partially recover security costs incurred in order to meet US security requirements.

Per metric ton of international cargo discharged or loaded to or from vessels at Port facilities----- \$0.04 (4¢)

Per cruise passenger (embarking, disembarking or round trip) ----- \$1.30

These charges are in addition to all other applicable charges in this Tariff.

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SECTION VII - MISCELLANEOUS CHARGES

CHARGES FOR SERVICES FOR WHICH SPECIFIC RATES ARE NOT OTHERWISE PROVIDED

Item No.
910

When the Port of Redwood City performs services for which no specific tariff rates are given or when reference is made to this Item, the man-hour rates in Item 915 plus 20% are charged for each person employed to accomplish the service. The cost of any materials, equipment, or rental used will be charged for at cost plus 20%.

MAN-HOUR RATES

Item No.
915 (A)

When the Port of Redwood City performs services for which rates are not provided elsewhere in this tariff or when reference is made to this Item, the charge shall be per hour at the applicable man-hour rates provided in the following schedule, plus 20%. The minimum time assessed and straight time or overtime charges are governed by labor union contracts.

	08:00-17:00 <u>Mon-Fri, Excl. Holidays</u>	18:00-03:00 <u>Mon-Fri, Excl. Holidays</u>	Weekends, Holidays or <u>Overtime, 1st or 2nd Shift</u>
Longshoreman	\$ 92.00	\$112.00	\$123.00
Lift Driver	\$ 98.00	\$119.00	\$130.00
Crane Operator	\$103.00	\$127.00	\$139.00
Basic Clerk	\$ 92.00	\$112.00	\$123.00
Supervisor Clerk	\$127.00	\$149.00	\$161.00
Supercargo	\$137.00	\$163.00	\$176.00
Gang Boss	\$ 98.00	\$119.00	\$130.00

CHARGES FOR DUNNAGE AND MATERIALS

Item No.
920

(A) Actual cost plus 20% will be charged for all dunnage, stakes, bolsters, wire other materials or bracing used in loading cars, also for paper used when it is necessary to line cars.

(B) The man-hour rates appearing in Item No. 915 shall be charged for the labor employed:

- (1) In placing dunnage, bracing lining or other materials in cars;
- (2) In removing same from cars and disposing thereof.

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SECTION VII - MISCELLANEOUS CHARGES

DISPOSAL OF VESSEL'S GARBAGE AND/OR DUNNAGE

Item No.
923 (A)

When requested to dispose of vessel's garbage and/or dunnage such material shall be removed from vessel by vessel's personnel and placed in dumpster provided by Port on wharf alongside vessel. Frequency of removal will be subject to availability of disposal facilities. Service is subject to a minimum charge of \$121.00 per request. Fumigation, if performed, will be subject to an additional charge.

\$121.00 per dumpster (capacity up to 15 cubic yards (3.834 M3))

EQUIPMENT RENTAL (Subject to Item 114 herein)

Item No.
925

(A) Hourly equipment rental rates deleted.

(B) When heavy lift equipment is ordered, the Port of Redwood City will bill the person or persons for whom the service is performed at the actual cost plus 20%, plus the man-hour cost (Item 915) for any labor supplied.

(C) Minimum charge deleted.

(D) When application is made for use of any of the Port owned or rented equipment it must be accomplished by certificate attesting to the proficiency of the operator. No mechanical equipment may be brought to, or used on, Port property without prior arrangement with the Port Manager. The operator shall be under the sole supervision of the renter of said equipment. The Port Manager reserves the right to terminate use and re-assign equipment to other operations when, in the Manager's judgment, it becomes necessary to do so. Port equipment is presumed to be in good operating condition when turned over to user, but the Port of Redwood City does not warrant the mechanical condition thereof. The Port of Redwood City will not be responsible for delays caused user by breakdown of equipment, by shutoff of electrical current, or other causes. The Port of Redwood City reserves the right to stop operation of the equipment at any time to require repairs that appear, in the opinion of the Port Manager to be necessary. Port equipment turned over to user is under user's supervision, direction and control. User assumes sole responsibility and liability for injury to or death of any person whomever, or damage to or destruction of property, including employees and property of the Port of Redwood City, incident to, arising out of, or caused by user's possession, use or operation of Port Equipment. User shall at all times relieve, indemnify, protect and hold harmless the Port of Redwood City and any and all the members of its Board, officers, agents, representatives and employees from and any and all judgments and expenses incurred in defending against legal action, claims and liability for death of or injury to persons or damage to or destruction of property that may be in whole or in part incident to, arise out of, or

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SECTION VII - MISCELLANEOUS CHARGES

EQUIPMENT RENTAL (Continued)
(D)Continued

Item No.
925
(Continued)

be caused directly or indirectly through negligence or otherwise, by the user's possession, use or operation of said Port equipment whether by user, its officers, agents or employees or by any person or persons acting with the knowledge or consent, express or implied, of user. The use of Port equipment shall constitute acceptance and acknowledgment by the user of this liability and obligation.

(E) When the Port furnishes operator(s), the operator(s) shall be under the sole supervision of the party renting or receiving benefit from the equipment used by the operator(s). Acceptance of the operator by the renter or benefited party denotes agreement on the part of that party that the operator is fully qualified. Item 925 (E) applies when the Port charges for the operators furnished, and when the Port provides the operators free of charge.

(F) Users shall not use or operate equipment so as to exceed the maximum rated capacity. Except as may be provided by written agreement, normal repair and maintenance of equipment shall be performed by the Port of Redwood City, however, the Port does not warrant the condition thereof. Such repair and maintenance shall not relieve a user of its obligation to inspect equipment to assure that it is fit and suitable for the use for which it is intended. User shall make such an inspection prior to use and thereafter as often as is necessary to assure that the equipment is fit and suitable for its intended use. User shall immediately notify the Port Manager of any defect, whether actual or merely suspected. A user shall be responsible for any and all damage to or destruction of equipment, and for all the cost of repairs required to be made other than for normal repair and maintenance. "Normal repair and maintenance" is defined to mean all repair and maintenance deemed to be necessary by the Port Manager except such repair as may be required in the event of damage to or destruction of the equipment, in whole or in part, incidental to, arising out of, or caused by, directly or indirectly, user's possession, use or operation of said equipment, whether by user, its officers, agents or employees or by any person or persons acting with the knowledge and express or implied consent of user. The Port Manager reserves the right to stop the operation of any equipment at any time if it does not appear to be in proper operating condition and make necessary repairs. Neither the Port, nor any of its officers or employees, shall be responsible for delays attributable to any cause, event or occurrence of whatever nature to vessel's land transportation equipment, or cargo, or for any expenses, costs or damages incurred by user or any other person which arises out of the use or anticipated use of equipment. User is subject to insurance provisions of the Port of Redwood City. Unless otherwise arranged, orders for rental of equipment shall be honored in the order in which they are received, provided that use of equipment in direct loading or discharge of vessels shall take precedence over intra-terminal use, and intra-terminal work shall take precedence over use extending outside the terminal limits.

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SECTION VII - MISCELLANEOUS CHARGES

EQUIPMENT RENTAL (Continued)

(G) The Port does not warrant the mechanical condition of equipment furnished hereunder and its sole liability shall be to furnish competent mechanics to make such repairs as are brought to its attention. Users of all rented equipment, by receiving possession thereof, agree that upon termination of the period of use, it will be redelivered to the Port in the same condition it was in when received, ordinary wear and tear alone expected.

Item No.
925
(Continued)

ELECTRICITY, FURNISHING OF

Charges for terminal lighting and/or power will be at the prevailing market rates plus 20% for the service. Portable lighting equipment when requested, and when available, will be supplied at the rental charge incurred by the Port plus 20% for the service.

Item No.
927

MOORING, TAKING, RELEASING AND SHIFTING OF LINES

The Port of Redwood City reserves the right to perform the service of taking, releasing or shifting of vessel's lines on its terminal facilities. Charges for these services shall be determined as follows:

- (A) Compute the time from when men report for duty, as called at the request of the carrier, until the vessel is tied up or let go, or until a vessel berthed alongside has completed shifting from one berth to another.
- (B) Apply the rates named that are applicable during or between the hours in which the men are required to report for duty to perform the service, subject to a minimum charge per gang shown in connection therewith. When the time extends over two or more periods in which different charges are provided, the charge shall be computed upon the basis of the highest rate per gang hour.

Item No.
930 (A)

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SECTION VII - MISCELLANEOUS CHARGES

MOORING, TAKING, RELEASING AND SHIFTING OF LINES (Continued)

Item No.
 930 (A)
 (Continued)

(C) Rates per gang, as shown on the table below, are based on a gang of 4 men per gang releasing lines and 6 men per gang taking lines. When additional men are required or requested for taking, shifting, or releasing lines, the rates per hour, subject to the applicable minimum hours, will be increased in proportion to the number of additional linemen used. Rates are per gang hour or any part thereof, subject to the minimum hours per gang.

<u>When linemen are ordered to report:</u>	<u>Taking Lines</u>	<u>Releasing Lines</u>
Monday through Friday, Except Holidays Between - 0800 and 1659 2 hour minimum per gang	\$1,240.00	\$830.00
Monday through Friday, Except Holidays Between - 1700 and 0259 4 hour minimum per gang	\$1,102.00	\$ 737.00
Monday through Friday, Except Holidays Between - 0300 and 0759 4 hour minimum per gang	\$1,222.00	\$816.00
Saturdays, Sundays and Holidays Between - 0800 and 0259 4 hour minimum per gang	\$1,176.00	\$788.00
Saturdays, Sundays and Holidays Between - 0300 and 0759 4 hour minimum per gang	\$1,309.00	\$877.00

PLACING CARGO ON OR OFF PALLET BOARDS

Item No.
 935

When the Port of Redwood City performs the service of placing cargo on or off pallet boards the charge is:

Cargo N.O.S. per 1,000 kgs.----- \$8.36

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SECTION VII - MISCELLANEOUS CHARGES

SORTING CARGO

**Item No.
950**

Sorting cargo on the terminal to specifications per steamship bill of lading will be charged to the party requesting this service at the rates in Item 915 for clerks and labor and in Item 925 for any equipment used.

USE OF SPUR TRACK FOR LOADING OR UNLOADING

**Item No.
960 (I)**

Charges for use of the spur tracks in the Port area will be assessed as follows:

- (A) When spur tracks are used by either a lessee of the Port or a shipper of ocean freight for loading and unloading materials on which full wharfage will be collected, a charge of \$25.00 per car is assessed for each calendar day or fraction thereof until the car leaves the spur track.
- (B) When spur tracks are used under conditions other than stated in (a), a charge of \$55.70 per railcar per day or fraction thereof is assessed until the car leaves the spur track.

NOTE: For purposes of (A) and (B) above, the first calendar day begins at midnight following arrival of the cargo. However, any car arriving after midnight and departing before 24 hours have passed shall be charged for one day. The terminal assumes no responsibility for loss of or damage to any articles or cargo so handled nor is the Port in any way responsible for freight charges, switching or demurrage on said cars.

SUPPLYING FRESH WATER TO VESSELS

**Item No.
968**

Between 0800 and 1700, Mondays through Friday, Except Holidays, per request - \$283.00

All other hours, per request - \$391.00

When service is commenced or finished during the hours subject to a higher rate, such higher rate is applicable for the entire service. The above rates are for the connection and disconnection of water hoses and do not include the cost of water.

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