

PORT EVERGLADES TARIFF NO. 12

Item No. 545–Container carrier service incentive.

Issue No. 2

Effective Date: October 1, 2011

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 Everglades Chief Executive 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 Everglades Chief Executive 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 Everglades Chief Executive 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

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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 Everglades Chief Executive'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.