

June 1, 2017

NOTICE TO PORT OF PORTLAND TARIFF USERS

RE: REVISIONS TO PORT TARIFF NO. 8 – CHANGES EFFECTIVE JULY 1, 2017

The electronic form of the Marine Tariff posted at <https://portofportland.com/Marine/Tariff> will govern in the event of any conflict with any paper form of the Marine Tariff or this notice.

The following changes have been made to the Tariff:

PART 1: RULES

SECTION I – GENERAL RULES

2C. Application of Tariff – Reservation of Agreement Rights: This paragraph has been retitled “Reservation of Right to Enter into Separate Contract”, and the following sentence has been added to the end of the paragraph:

“In the event the Port’s last offer has not been unconditionally accepted by the time a Facility User makes use of one of the Port’s marine terminal facilities, such use is deemed acceptance of the Port’s last offer supplemented by such terms of this Tariff as are consistent with such last offer.”

3. Damage to Port Property and the Environment: Title of item has been revised to include “Pilings”.

3A. Renamed this section from “Piling Damage Replacement” to “**Piling and Fendering System Damage Repair and Replacement**”.

3B. Renamed this section from “Environmental Costs” to “**Liability for Environmental Damage and Costs**”.

10. This section has been renamed from “Safety, Environmental, and Other Laws” to “**Compliance with Safety, Environmental, and Other Laws**”.

15. This section has been renamed from “Terms of Payment” to “**Satisfactory Assurance For Payment and When Payment Due**”.

16B. Cargo Custody and Control: The last sentence of this section has been revised to read “*These charges are the joint liability of these Facility Users: the cargo owner, shipper, and consignee.*”

16D. This section has been renamed from “Payment Terms are Cash” to “**Payment Terms are Cash Unless Port has Consented to Extended Payment Terms**”.

17. Renamed title of this section from “Insurance and Indemnification” to “**Insurance**”.

18F. Added the following sentence to this section: “*An estimate of port charges is not a cap on charges and actual port charges will be assessed per this Tariff.*”

26A. Added the following sentence to this section: “*To the extent permitted by law, Facility Users agree to these limitations on the pursuit of claims irrespective of longer limitations periods under statutes, common law or maritime law.*”

SECTION II – DOCKAGE RULES

6. **Dockage Charge – Vessel on Lay Status:** The third paragraph in this section has been modified to clarify Port discretion of and approval procedures for layberth requests.

7. This section has been renamed from “Dockage Charge – Tug Boats on Lay Status” to “**Dockage Charge for Tug Boats on Lay Status and Definition of Lay Status**” and has been modified to clarify Port discretion and approval procedures for layberth requests for tug boats.

SECTION III – BREAKBULK RULES

1. **Service and Facilities Charge:** This section has been removed due to redundancy, as this appears earlier in General Rules, Section 14.B.

3. This section has been renamed from “Wharfage” to “**Wharfage Defined**”. The last sentence in this section, as well as the last sentence in section 3.A(3) have been removed, as all wharfage rates are quoted by the Port on a case-by-case basis.

SECTION IV – LABOR RULES

1A. **Specific Labor and Equipment Rates:** Added “*...as per Section V – Equipment Rules*” to the last sentence to clarify how equipment rates will be billed to Facility Users.

SECTION V – EQUIPMENT RULES

1B. Revised sentence to clarify that the equipment rental rates in the Tariff do not include fuel and that fuel, operator, or operational labor are not included unless otherwise noted.

1C. Revised section to specify that equipment will be billed at a minimum of one hour, and in 15-minute increments after the first hour instead of 5-minute increments.

1D. Added the bolded section to the last sentence as follows: “*When rigging services are provided during weekend shifts, additional charges will be made for appropriate Longshore **and other Port-provided labor’s** shift differential costs.*”

SECTION VI – STORAGE RULES

Added Section 2F. **Port’s Right to Require Covered Storage:** “*The Port reserves the right to require the Facility User to cover, or to have moved into an interior storage location, a commodity that is being stored outside if, in the discretion of the Port, the material creates a threat of or a hazardous substance release in violation of the environmental laws with which Facility User must comply under Tariff Section I.10.B. The Port will notify the Facility User that covered storage is required at the earliest opportunity. Facility User must make arrangements for the commodity to be moved into covered storage within ten (10) days of notification by the Port. Upon placement in covered storage, Facility User will be charged*

the current rates of covered storage, found in Tariff Part 2, Section VI – Storage Rates. If sufficient covered storage space is not available, the Facility User must remove the cargo from Port property within ten (10) days of notification by the Port. Other expenses, such as cleanup of outside storage location, drayage to new inside storage location, and expenses relating to the removal of the commodity from Port property is the responsibility of the Facility User.”

PART 2: RATES

The following changes have been made to the Tariff rate tables:

SECTION I – GENERAL RATES

- 1000.000 Fresh Water Service
 - 1000.002 Water Consumption has increased from \$3.94 to \$5.00 per 100 cubic feet
- 1040.000 Security
 - 1040.020 – Port security fee has increased from \$900.00 to \$1,000.00
- 1095.000 Fendering System or Piling Damage Repairs
 - 1095.061 – Wooden pilings has increased from \$2,288.00 to \$2,342.00
 - 1095.062 – Chocks and whales has increased from \$192.00 to \$197.00
- 1200.000 Rail Storage and/or Track Rental
 - 1200.100 – Storage track rental has increased from \$0.85/LF/mo to \$0.87/LF/mo

SECTION II – DOCKAGE RATES

- 2010.010 Billing/Rebilling Fee has increased approximately 2.38% (CPI-U increase Mar '16 to Mar '17)
- The following items have increased by approximately 2.5%:
 - 2100.150 – 2215.150 – Dockage Regular
 - 2100.151 – 2215.151 – 50% Lay Charge
 - 2100.152 – 2215.152 – 25% Lay Charge

SECTION IV – LABOR RATES

Rate table has been revised from:

OTHER LABOR SERVICES							
*Refer to Sub-Item No.			Tariff Sub-Item Number				
			.600	.605	.625	.630	.635
*Item Number	Labor Classification	Occupation Code	1st Shift	2nd Shift	Over Time	3rd Shift	3rd Shift or Weekend Overtime
6500.000	Security Officers (Minimum 4-hour pay)		\$70.00	N/A	\$94.00	N/A	N/A
6530.000	Electrician		\$88.00	\$89.75	\$119.50	\$90.25	\$151.00
6540.000	Other (Includes plumbers, boilermakers, carpenters, laborers, operating engineers, and painters)		\$92.00	\$93.75	\$119.50	\$94.25	\$147.00
6550.000	Landscape Gardeners		\$53.00	N/A	\$72.50	N/A	N/A

To the following:

OTHER LABOR SERVICES							
			Tariff Sub-Item Number				
	*Refer to Sub-Item No.		.600	.605	.625	.630	.635
*Item Number	Labor Classification	Occupation Code	1st Shift	2nd Shift	Over Time	3rd Shift	3rd Shift or Weekend Overtime or Holidays
6500.000	Security Officers (Minimum 4-hour pay)		\$72.00	N/A	\$97.00	N/A	N/A
6530.000	Electrician		\$102.00	\$103.75	\$133.89	\$104.25	\$165.78
6540.000	Other (Includes plumbers, boilermakers, carpenters, laborers, operating engineers, and painters)		\$102.00	\$103.75	\$133.89	\$104.25	\$165.78
6550.000	Landscape Gardeners		\$65.00	N/A	\$85.22	N/A	N/A

Notes have been revised to specify 4-hour minimum for labor charges and to clarify shift days.

SECTION V – EQUIPMENT RATES

Rate table has been revised from:

Item Number	Equipment Description	Unit of Measure	Rate (\$)
7000.700 Cranes <i>(Note: Cranes provided at T2 require a 4-hour minimum)</i>			
7030.710	Hitachi Gantry Crane - T2 <i>- When used for noncellurized, conventional, breakbulk vessels or river barges</i>	Hour	578.00
7040.720	Crane beam or cargo hook change to/from another crane	Change Weekday	281.00
7040.725	Crane beam or cargo hook change to/from another crane	Change Weekend	377.00
7200.000 Clamshell Bucket			
7200.700	Clamshell bucket	MT	1.00
7400.000 Railcar Moves			
7402.713	Rail car mover <i>-if maintained by renter</i>	Day	150.00
7600.000 Other Equipment			
7600.100	Street Sweeper/Vacuum	Hour	100.00
7600.105	Street Sweeper/Vacuum	Day	700.00

7600.110	40' Manlift	Hour	50.00
7600.115	40' Manlift	Day	300.00
7600.120	60' Manlift	Hour	50.00
7600.125	60' Manlift	Day	300.00
7600.130	135' Manlift	Hour	150.00
7600.135	135' Manlift	Day	1,200.00
7600.140	Backhoe	Hour	50.00
7600.145	Backhoe	Day	400.00
Item Number	Equipment Description	Unit of Measure	Rate (\$)
7600.150	Crane 22 Ton Grove	Hour	100.00
7600.155	Crane 22 Ton Grove	Day	700.00
7600.160	Lift Truck	Hour	20.00
7600.165	Lift Truck	Day	150.00
7600.170	12 yard Dump Truck	Hour	100.00
7600.175	12 yard Dump Truck	Day	700.00
7600.180	Asphalt Crack Fill Machine	Hour	75.00
7600.185	Asphalt Crack Fill Machine	Day	500.00

To the following:

Item Number	Equipment Description	Unit of Measure	Rate (\$)
7000.000	<i>Cranes</i> <i>(Note: Cranes provided at T2 require a 4-hour minimum)</i>		
7000.700	Container cranes – T6 -Furnished with container lifting beams	Hour	800.00
7020.700	Container cranes – T6 -When used for noncellurized, conventional, breakbulk vessels or river barges	Hour	600.00

7030.710	Hitachi Gantry Crane - T2 <i>- When used for noncellurized, conventional, breakbulk vessels or river barges</i>	Hour	600.00
7040.720	Crane beam or cargo hook change to/from another crane	Change Weekday	288.00
7040.725	Crane beam or cargo hook change to/from another crane	Change Weekend	386.00
7200.000 Tractors/Misc Equipment			
7200.700	Radio Control Clamshell bucket	MT	1.00
7200.710	Yard Tractor (4-hour minimum)	Hour	53.00
7200.720	Lift Truck > 40,000 LB (4-hour minimum)	Hour	165.00
7200.730	Lift Truck < 40,000 LB (4-hour minimum)	Hour	100.00
7200.740	Yard Truck (4-hour minimum)	Hour	30.00
7250.000 Top Loaders/Reach Stackers			
7250.700	Top loaders/reach stackers (4-hour minimum, fuel is included)	Hour	292.00

MISCELLANEOUS REVISIONS

Language in various provisions has been adjusted to clarify the meaning of the existing tariff obligations and to correct grammatical errors.

The tariff in its entirety is available electronically in PDF format on the Port of Portland's website at <https://portofportland.com/Marine/Tariff>.

Best regards,

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