

PORT EVERGLADES FRANCHISE APPLICATION

An application will not be deemed complete and ready for processing until all required documents and fees are received.

A separate application must be filed for each type of franchise applied for.

FRANCHISE TYPE
CHECK ONE

STEAMSHIP AGENT

STEVEDORE

CARGO HANDLER

TUGBOAT & TOWING

VESSEL BUNKERING

VESSEL OILY WASTE REMOVAL

VESSEL SANITARY WASTE WATER REMOVAL

MARINE TERMINAL SECURITY

MARINE TERMINAL SECURITY

FIREARMS CARRYING SECURITY PERSONNEL

NON-FIREARMS CARRYING SECURITY PERSONNEL

Note: Applicant is the legal entity applying for the franchise. If the Applicant is granted the franchise, it will be the named franchisee. All information contained in this application shall apply only to the Applicant, and not to any parent, affiliate, or subsidiary entities.

Applicant's

Name Eller-I.T.O. Stevedoring Company, L.L.C.

(Name as it appears on the certificate of incorporation, charter, or other legal documentation as applicable, evidencing the legal formation of the Applicant)

Applicant's Business Address 1007 N America Way, Suite 501 Miami, FL 33132

Number /

Street

City/State/Zip

Phone # (305) 379-3700

E-mail address

chrisarocho @ellerito.com

Fax #: (305) 371-9969

Name of the person authorized to bind the Applicant (Person's signature must appear on Page 13.)

Name Christopher C. Arocha

Title Senior Vice President

Business Address 1007 N America Way, Suite 501

Miami, FL 33132

Number /

Street

City/State/Zip

Phone # (305) 379-3700

E-mail address

chrisarocho @ellerito.com

Fax #: (305) 371-9969

Provide the Name and Contact Information of Applicant's Representative to whom questions about this application are to be directed (if different from the person authorized to bind the Applicant):

Representative's Name Timothy J. Armstrong, Esq.

Representative's Title Attorney

Representative's Business Address 108 Cannon CT West Ponte Verde Beach, FL 32082

Number /

Street

City/State/Zip

Representative's Phone # (305) 479-7915

Representative's E-mail address

tarmstrong @tjarmstronglaw.com

Representative's Fax # () _____

PLEASE COMPLETE THIS APPLICATION AND LABEL ALL REQUIRED BACKUP DOCUMENTATION TO CLEARLY IDENTIFY THE SECTION OF THE APPLICATION TO WHICH THE DOCUMENTATION APPLIES (I.E....., SECTION A, B, C, etc.).

Section A

1. List the name(s) of Applicant's officers, including, CEO, COO, CFO, director(s), member(s), partner(s), shareholder(s), principal(s), employee(s), agents, and local representative(s) active in the management of the Applicant.

Officers:

Title Senior Vice President
First Name Christopher Middle Name C.
Last Name Arocha
Business Street Address 1007 N America Way, Suite 501
City, State, Zip Code Miami, FL 33132
Phone Number (305) 379-3705 Fax Number (305) 371-9969
Email Address chrisarocha @ ellerito.com

Title Vice President of Finance
First Name Silvia Middle Name E.
Last Name Guardado
Business Street Address 1007 N America Way, Suite 501
City, State, Zip Code Miami, FL 33132
Phone Number (305) 379-3739 Fax Number (305) 371-9969
Email Address sguardado @ ellerito.com

Title Vice President of Operations
First Name Fernando Middle Name N.
Last Name Alvarez
Business Street Address 1007 N America Way, Suite 501
City, State, Zip Code Miami, FL 33132
Phone Number (305) 379-3706 Fax Number (305) 371-9969
Email Address falvarez @ ellerito.com

Title _____
First Name _____ Middle Name _____
Last Name _____
Business Street Address _____
City, State, Zip Code _____
Phone Number () _____ Fax Number () _____
Email Address _____ @ _____

Attach additional sheets if necessary.

2. RESUMES: Provide a resume for each officer, director, member, partner, shareholder, principal, employee, agent, and local representative(s) active in the management of the Applicant, as listed above.

Section B

1. Place checkmark to describe the Applicant:
() Sole Proprietorship () Corporation () Partnership () Joint Venture (✓) Limited Liability Company
2. Provide copies of the documents filed at the time the Applicant was formed including Articles of Incorporation (if a corporation); Articles of Organization (if an LLC); or Certificate of Limited Partnership or Limited Liability Limited Partnership (if a partnership). If the Applicant was not formed in the State of Florida, provide a copy of the documents demonstrating that the Applicant is authorized to conduct business in the State of Florida.

Section C

1. Has there been any change in the ownership of the Applicant within the last five (5) years? (e.g., any transfer of interest to another party)
Yes ___ No ✓ If "Yes," please provide details in the space provided. Attach additional sheets if necessary.
2. Has there been any name change of the Applicant or has the Applicant operated under a different name within the last five (5) years?
Yes ___ No ✓ If "Yes," please provide details in the space provided, including: Prior name(s) and Date of name change(s) filed with the State of Florida's Division of Corporations or other applicable state agency. Attach additional sheets if necessary.
3. Has there been any change in the officers, directors, executives, partners, shareholders, or members of the Applicant within the past five (5) years?
Yes ___ No ✓ If "Yes," please provide details in the space provided, including:
Prior officers, directors, executives, partners, shareholders, members
Name(s) _____
New officers, directors, executives, partners, shareholders, members
Name(s) _____
Also supply documentation evidencing the changes including resolution or minutes appointing new officers, list of new principals with titles and contact information, and effective date of changes. Attach additional sheets if necessary.

Section D

Provide copies of all fictitious name registrations filed by the Applicant with the State of Florida's Division of Corporations or other State agencies. If none, indicate "None" None.

Section E

1. Has the Applicant acquired another business entity within the last five (5) years?
Yes ___ No If "Yes," please provide the full legal name of any business entity which the Applicant acquired during the last five (5) years which engaged in a similar business activity as the business activity which is the subject of this Port Everglades Franchise Application.
If none, indicate "None" _____.

2. Indicate in the space provided the date of the acquisition and whether the acquisition was by a stock purchase or asset purchase and whether the Applicant herein is relying on the background and history of the acquired firm's officers, managers, employees and/or the acquired firm's business reputation in the industry to describe the Applicant's experience or previous business history. Attach additional sheets if necessary.

N/A

3. Has the Applicant been acquired by another business entity within the last five (5) years? Yes ___ No If "Yes," provide the full legal name of any business entity which acquired the Applicant during the last five (5) years which engaged in a similar business activity as the business activity which is the subject of this Port Everglades Franchise Application.
If none, indicate "None" _____.

4. Indicate in the space provided the date of the acquisition and whether the acquisition was by a stock purchase or asset purchase and whether the Applicant herein is relying on the background and history of the parent firm's officers, managers, employees and/or the parent firm's business reputation in the industry to describe the Applicant's experience or previous business history. Attach additional sheets if necessary.

N/A

Section F

Provide the Applicant's previous business history, including length of time in the same or similar business activities as planned at Port Everglades.

Resume attached

Section G

1. Provide a list of the Applicant's current managerial employees, including supervisors, superintendents, and forepersons.
Attached
2. List the previous work history/experience of the Applicant's current managerial employees, including their active involvement in seaports and length of time in the same or similar business activities as planned at Port Everglades.

Christopher C. Arocha - 23 year

Silvia Guardado - 13 years

Fernando N. Alvarez - 42 years

Section H

List all seaports, including Port Everglades (if application is for renewal), where the Applicant is currently performing the services/operation which is the subject of this Franchise application. Use this form for each seaport listed. Photocopy additional pages as needed (one page for each seaport listed).

If none, state "None" _____.

Seaport Miami Number of Years Operating at this Seaport _____

List below all of the Applicant's Clients for which it provides services at the seaport listed above.

Client Name (Company)	Number of Years Applicant has Provided Services to this Client
SEABOARD MARINE	21 YEARS
ROYAL CARIBBEAN	21 YEARS
CELEBRITY CRUISES	14 YEARS
AZAMARA CRUISES	14 YEARS
FECWRY	6 YEARS
MSC	6 YEARS
MAERSK LINE	6 YEARS
NCL	2 YEARS

Section I

1. Provide a description of all past (within the last five (5) years) and pending litigation and legal claims where the Applicant is a named party, whether in the State of Florida or in another jurisdiction, involving allegations that Applicant has violated or otherwise failed to comply with environmental laws, rules, or regulations or committed a public entity crime as defined by Chapter 287, Florida Statutes, or theft-related crime such as fraud, bribery, smuggling, embezzlement or misappropriation of funds or acts of moral turpitude, meaning conduct or acts that tend to degrade persons in society or ridicule public morals.

The description must include all of the following:

- a) The case title and docket number
- b) The name and location of the court before which it is pending or was heard
- c) The identification of all parties to the litigation
- d) General nature of all claims being made

If none, indicate "None" _____.

2. Indicate whether in the last five (5) years the Applicant or an officer, director, executive, partner, or a shareholder, employee or agent who is or was (during the time period in which the illegal conduct or activity took place) active in the management of the Applicant was charged, indicted, found guilty or convicted of illegal conduct or activity (with or without an adjudication of guilt) as a result of a jury verdict, nonjury trial, entry of a plea of guilty or nolo contendere where the illegal conduct or activity (1) is considered to be a public entity crime as defined by Chapter 287, Florida Statutes, as amended from time to time, or (2) is customarily considered to be a white-collar crime or theft-related crime such as fraud, smuggling, bribery, embezzlement, or misappropriation of funds, etc. or (3) results in a felony conviction where the crime is directly related to the business activities for which the franchise is sought.

Yes ___ No

If you responded "Yes," please provide all of the following information for each indictment, charge, or conviction:

- a) A description of the case style and docket number
- b) The nature of the charge or indictment
- c) Date of the charge or indictment
- d) Location of the court before which the proceeding is pending or was heard
- e) The disposition (e.g., convicted, acquitted, dismissed, etc.)
- f) Any sentence imposed
- g) Any evidence which the County (in its discretion) may determine that the Applicant and/or person found guilty or convicted of illegal conduct or activity has conducted itself, himself or herself in a manner as to warrant the granting or renewal of the franchise.

Section J

The Applicant must provide a current certificate(s) of insurance. Franchise insurance requirements are determined by Broward County's Risk Management Division and are contained in the Port Everglades Tariff No. 12 as amended, revised or reissued from time to time. The Port Everglades Tariff is contained in the Broward County Administrative Code, Chapter 42, and is available for inspection on line at: <http://www.porteverglades.net/development/tariff>.

Attached

Section K

1. The Applicant must provide its most recent audited or reviewed financial statements prepared in accordance with generally accepted accounting principles, or other documents and information which demonstrate the Applicant's creditworthiness, financial responsibility, and resources, which the Port will consider in evaluating the Applicant's financial responsibility.

Attached

2. Has the Applicant or entity acquired by Applicant (discussed in Section E herein) sought relief under any provision of the Federal Bankruptcy Code or under any state insolvency law filed by or against it within the last five (5) year period?

Yes ___ No

If "Yes," please provide the following information for each bankruptcy or insolvency proceeding:

- a) Date petition was filed or relief sought
- b) Title of case and docket number
- c) Name and address of court or agency
- d) Nature of judgment or relief
- e) Date entered

3. Has any receiver, fiscal agent, trustee, reorganization trustee, or similar officer been appointed in the last five (5) year period by a court for the business or property of the Applicant?

Yes ___ No

If "Yes," please provide the following information for each appointment:

- a) Name of person appointed
- b) Date appointed
- c) Name and address of court
- d) Reason for appointment

4. Has any receiver, fiscal agent, trustee, reorganization trustee, or similar officer been appointed in the last five (5) year period by a court for any entity, business, or property acquired by the Applicant?

Yes ___ No

If "Yes," please provide the following information for each appointment:

- a) Name of person appointed
- b) Date appointed
- c) Name and address of court
- d) Reason for appointment

Section L

List four (4) credit references for the Applicant, one of which must be a bank. Use this format:

Name of Reference list attached Nature of Business _____

Contact Name _____ Title _____

Legal Business Street Address _____

City, State, Zip Code _____

Phone Number (____) _____

(Provide on a separate sheet.)

Section M

1. Security: Pursuant to Port Everglades Tariff 12, Item 960, all Franchisees are required to furnish an Indemnity and Payment Bond or Irrevocable Letter of Credit drawn on a U.S. bank in a format and an amount not less than \$20,000 as required by Broward County Port Everglades Department.

2. Has the Applicant been denied a bond or letter of credit within the past five (5) years?

Yes ___ No

If "Yes," please provide a summary explanation in the space provided of why the Applicant was denied. Use additional sheets if necessary.

Section N

1. Provide a list and description of all equipment currently owned and/or leased by the Applicant and intended to be used by the Applicant for the type of service(s) intended to be performed at Port Everglades including the age, type of equipment and model number.

2. Identify the type of fuel used for each piece of equipment.

N/A

3. Indicate which equipment, if any, is to be domiciled at Port Everglades.

N/A

4. Will all equipment operators be employees of the Applicant, on the payroll of the Applicant, with wages, taxes, benefits, and insurance paid by the Applicant?

Yes No ___

If "No," please explain in the space provided who will operate the equipment and pay wages, taxes, benefits, and insurance, if the franchise is granted. Use additional sheets if necessary.

Section O

Provide a copy of the Applicant's current Broward County Business Tax Receipt (formerly Occupational License).

Section P

1. Provide a copy of Applicant's safety program.
2. Provide a copy of Applicant's substance abuse policy.
3. Provide a copy of Applicant's employee job training program/policy.
4. Provide information regarding frequency of training.
5. Include equipment operator certificates, if any.

See attached

Section Q

1. Has the Applicant received within the past five (5) years or does the Applicant have pending any citations, notices of violations, warning notices, or fines from any federal, state, or local environmental regulatory agencies?
Yes ___ No

2. Has the Applicant received within the past five (5) years or does the Applicant have pending any citations, notices of violations, warning notices, or civil penalties from the U.S. Coast Guard?
Yes ___ No

3. Has the Applicant received within the past five (5) years or does the Applicant have pending any citations, notices of violations, warning notices, or fines from the Occupational Safety and Health Administration?
Yes ___ No

If you responded "Yes" to any of this section's questions 1, 2, or 3 above, please provide a detailed summary for each question containing the following information:

- a) Name and address of the agency issuing the citation or notice
- b) Date of the notice
- c) Nature of the violation
- d) Copies of the infraction notice(s) from the agency
- e) Disposition of case
- f) Amount of fines, if any
- g) Corrective action taken

Attach copies of all citations, notices of violations, warning notices, civil penalties and fines issued by local, state, and federal regulatory agencies, all related correspondence, and proof of payment of fines.

4. Provide a statement (and/or documentation) which describes the Applicant's commitment to environmental protection, environmental maintenance, and environmental enhancement in the Port.

Section R

Provide written evidence of Applicant's ability to promote and develop growth in the business activities, projects or facilities of Port Everglades through its provision of the services (i.e., stevedore, cargo handler or steamship agent) it seeks to perform at Port Everglades. For first-time applicants (stevedore, cargo handler and steamship agent), the written evidence must demonstrate Applicant's ability to attract and retain new business such that, Broward County may determine in its discretion that the franchise is in the best interests of the operation and promotion of the port and harbor facilities. The term "new business" is defined in Chapter 32, Part II of the Broward County Administrative Code as may be amended from time to time.

Christopher C. Arocha
Senior Vice President
Eller-ITO Stevedoring Co., LLC
Stevedoring Experience and History

Senior Vice President for Eller-ITO Stevedoring Co., LLC (2007-Present)

Position Objectives

- Senior Officer is responsible to manage the day-to-day business of the Company, including stevedoring operations, sales and marketing, and finance and administration. Accountable for the financial results of the Company.

Position titles of persons reporting to this position

- Vice President of Finance/Controller, Operations Manager, Safety & Risk Manager.

Key Accountabilities

- Creation of a challenging, team based work environment with highly motivated, results oriented staff.
- Achievement of Board-approved safety, environmental, financial, service level, productivity, unit revenue and unit cost targets.
- Active solicitation, procurement, cultivation, and management of the commercial relationships of Eller-ITO Stevedoring Co., LLC with its customers.
- Development and ownership of business plan and budget.
- Strategic long range planning for the business of the company and implementation of agreed elements.
- Create and sustain excellent relationship with Port of Miami and other applicable regulatory authorities. Create and sustain excellent relationship with the ILA at a Senior Level.

Assistant Operations Manager for Eller-ITO Stevedoring Co., LLC (2003-2007)

- Coordinate operations and plans for all company supervisors and labor working on vessels.
- Communicate with principals on particulars and interest for their ships.

Stevedore for Eller-ITO Stevedoring Co., LLC(1998-2005)

- Supervised operations on cruise ships, container vessels, trailer ro-ro, break bulk and car boats.

Assistant Warehouse Manager for Eller-ITO Stevedoring Co., LLC (1997-1999)

- Performed all warehouse operations including stripping and stuffing palletized cargo and lashing of loose freight.

1007 N America Way, Suite 501, Miami, FL 33132, (305)321-8012, sguardado@ellerito.com

Silvia Guardado

- Experience** May 2010-Present Eller-ITO Stevedoring Company, LLC Miami, FL
- Vice President of Finance
- Producing timely accurate financial reports for the company's board of directors.
 - Working alongside the Senior Vice President in the strategic planning of the business and the preparation of financial budget to forecast future earnings.
 - Gathering business performance data to analyze and compare to previous periods, and develop recommendations for improvements in revenue growth and resource allocation.
 - Overseeing cash, investments and insurance programs to ensure a strong capital structure and cash flow.
 - Coordinating year-end audit and making sure accounting policies and internal controls over financial transactions are maintained.
 - Overseeing human resources and supervising accounting personnel.
 - The hiring, training and mentoring accounting staff.
- September 2006-May 2010 Port of Miami Crane Management, Inc. Miami, FL
- General Accounting Manager
- Ensured the accurate compilation, analysis and reporting of all economic activities including accounts payables, payroll, and general disbursements as well as budget transfers and its proper reporting into the Company's accounting books following the established internal controls to conform with Generally Accepted Accounting Principles (GAAP).
 - Prepared/reviewed daily cash management report and bank reconciliation.
 - Supervised the assignments of the payable staff to ensure vendors were paid accurately and efficiently.
 - Supervised the Asset Manager, inventory process, fixed assets, and depreciation schedules.
 - Prepared year-end financial statements in accordance with GAAP and assisted external auditors with annual audit.
 - Prepared budgets, expenditures forecast, and provided variance analysis.
 - Prepared the accounting and operations PowerPoint presentation for the monthly Board of Directors meetings and delivered the financial report to the Board.
 - Prepared/reviewed Request for Proposals and contracts for acquisitions of services and materials in conformity with Florida Sunshine Law.
 - Served as the liaison between PMCM and the Port of Miami.
 - Performed special projects as assigned by the Chief Executive Officer
- April 2003-January 2006 IDS Telecom Miami, FL
- Senior Financial Reporting Analyst
- Prepared monthly financial analyses, financial reporting and debt covenant compliance package.
 - Maintained dispute database for all telecommunications vendors.

1007 N America Way, Suite 501, Miami, FL 33132, (305)321-8012, sguardado@ellerito.com

Silvia Guardado

- Facilitated the closing of the monthly accounting records.
- Assisted in preparation of schedules and analyses used to determine the sales price of the company and for inclusion in the asset purchase agreement.
- Created various ad hoc reports.
- Performed special projects, as requested by the chief executive officer and the chief financial officer.
- Worked with operations, payroll, human resource and billing departments in preparation and analysis of operational cost reports.
- Negotiated with vendors to settle disputes and agree upon payment amounts and terms.

September 2000-April 2003 Innerhost Inc. Miami, FL

Junior Accountant

- Prepared weekly and monthly line count reports.
- Prepared and analyzed daily sales reports for management.
- Prepared journal entries for monthly closing of accounting records.
- Maintained general ledger and accounting binder.
- Prepared bank reconciliation for multiple bank accounts.
- Maintained fixed asset ledger, controlled inventory, and performed routine audits on new equipment purchased.
- Assisted in the preparation on the annual expense budget for the company.
- Prepared monthly Power Point presentations of the company's financial performance for department heads.

Education December 2012 Nova Southeastern University Davie, FL

Master of Business Administration

- Finance Major

May 2006 Florida International University Miami, FL

Bachelor of Business Administration

- Finance Major

References References are available on request.

Fernando N. Alvarez

Experience

1972-1978 POSEIDON / ROYAL CARIBBEAN CRUISE LINE
Operations Manager

1978-11985 HARRINGTON & CO.
Manager Stevedoring and Container Terminal

1985-1998 CONTINENTAL
Stevedoring and Terminal Operations Manager

1998-Present

Operations Manager

- Responsible for stevedoring supervision staff and their job deployment
- Responsible for operations and cost control in the Mechanic Shop and Warehouse (Sheb B)
- Coordinate with carriers and/or agents planning procedures and loading plans for vessel follow up with EDI Department
- Gantry and Seaboard Marine crane committee representative for Eller-ITO Stevedoring Co., LLC
- Oversees with risk manager safety program and enforcement of safety regulations.
- Coordinate equipment requirement and shop personnel for vessel operations with Maintenance and Repair Shop.
- Interface with other Port operations such as Port of Miami and Pomtoc in order to conduct smooth operations for our principal.
- Quote new business and special projects.

State of Delaware

PAGE 1

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "ELLER-I.T.O. STEVEDORING COMPANY L.L.C." IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TENTH DAY OF JUNE, A.D. 1998.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
98 JUN 18 PM 1:56

2905074 8300
981223724



9130787
06-10-98
Edward J. Freel
Edward J. Freel, Secretary of State

AUTHENTICATION:
DATE:

199800000042

Section B.2

ACCOUNT NO. : 072100000032
REFERENCE : 858344 4300314
AUTHORIZATION : Patricia Pzyut
COST LIMIT : \$ 285.00

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
98 JUN 18 PM 1:55

ORDER DATE : June 16, 1998
ORDER TIME : 10:04 AM
ORDER NO. : 858344-005
CUSTOMER NO: 4300314

600002562596

CUSTOMER: Jana Gerken, Esq
Schnader, Harrison, Segal &
330 Madison Avenue
14th Floor-library
New York, NY 10017

FOREIGN FILINGS

NAME: ELLER-I.T.O. STEVEDORING
COMPANY L.L.C.

XXXX QUALIFICATION (TYPE: LL)

Name Availability	<i>MGA</i>
Document Examiner	<i>MGA</i>
Updater	<i>MGA</i>
Updater Verifier	<i>MGA</i>
Acknowledgement	<i>MGA</i>
W. P. Verifier	<i>MGA</i>

247-864
MGA

PLEASE RETURN THE FOLLOWING AS PROOF OF FILING:

- CERTIFIED COPY
- XX PLAIN STAMPED COPY
- CERTIFICATE OF GOOD STANDING

CONTACT PERSON: Brenda Phillips

RECEIVED
98 JUN 17 AM 10:39
DIVISION OF CORPORATION

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR
AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 608.503, FLORIDA STATUTES, THE FOLLOWING IS
SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY COMPANY TO
TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. The name of the Limited Liability Company is: Eller - I.T.O. Stevedoring Company L.L.C.
2. The Limited Liability Company is organized under the laws of the State of Delaware.
3. FBI No.: Not applicable
4. The Limited Liability Company was organized with the Delaware Secretary of State on June 5, 1998.
5. The Limited Liability Company has perpetual duration.
6. The Limited Liability Company will transact business in Florida upon issuance of the Certificate of Authority to Transact Business.
7. The street address of the principal office and the mailing address of the Limited Liability Company is:
655 Asia Way
Miami, Florida 33132
8. Names and addresses of the Managers of the Limited Liability Company:
 - (1) Mr. James S. Field
President
ITO Corporation of Florida
% International Terminal Operating Co. Inc.
One Evertrust Plaza
Jersey City, New Jersey 07302
 - (2) Mr. Christopher C. Morton
Vice President
ITO Corporation of Florida
1007 North America Way
Suite 310
Miami, Florida 33132-2081

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
98 JUN 18 PM 1:56

Attachment to Affidavit of Membership and Contributions
of Foreign Limited Liability Company

Description of Property

Item 3) - continued:

1. Equipment
2. Promissory note
3. Customer lists

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SECRETARY OF STATE
DIVISION OF CORPORATIONS
98 JUN 18 PM 1:56

ELLER-ITO ORGANIZATION & BUSINESS HISTORY

Organized as a Delaware limited liability company On

June 5, 1998, Eller-I.T.O. Stevedoring Company, L.L.C. ("Eller-ITO") qualified to do business in the State of Florida on June 18, 1998. Soon after its formation, Eller-ITO established offices and other facilities in Miami, Florida. From inception Eller-ITO's Members (or Owners) have been Ports America Florida, Inc.¹ and Continental Stevedoring and Terminals, Inc., each of which owns fifty percent of the company.

The largest stevedore in the Port of Miami-Dade, Eller-ITO serves cargo and cruise vessels calling at the Port. Eller-ITO's business also includes terminal and warehouse operations in the Port of Miami-Dade. Recently Eller-ITO established a container freight station for its customers.

Initially Eller-ITO continued the business of its Members and predecessors. For example, Eller-ITO and its predecessors have stevedored all of Royal Caribbean's cruise ships in the Port of Miami since the "Song of Norway" arrived in 1970. As Eller-ITO's customer base expanded, its work also

¹On June 26, 2000, I.T.O. Corporation of Florida, a Florida corporation, filed an Amendment to its Articles of Incorporation, changing its name to P&O Ports Florida, Inc. On June 4, 2007, P&O Ports Florida, Inc. filed an Amendment to its Articles of Incorporation, changing its name to Ports America Florida, Inc. Although the name has changed, the corporate entity has remained the same.

increased. For instance, Eller-ITO has been the sole stevedore in the Port of Miami-Dade for Seaboard Marine, which has grown into one of the largest cargo lines serving Central America, South America, and the Caribbean.

To serve its customers, Eller-ITO has developed the largest stevedoring and cargo-handling equipment pool in the Port of Miami-Dade for cruise, container, and break bulk/special cargo. Regular equipment purchases and leases are an integral part of Eller-ITO's business plan. Moreover, Eller-ITO's shop maintains and repairs its equipment.

Throughout Eller-ITO's existence its officers have been directly responsible for its operations. A Board of Managers meets monthly to oversee their performance. Eller-ITO employs supervisors, vessel superintendents and coordinators, shipside managers, and administrative personnel, to perform services for customers and their vessels. Pursuant to collective bargaining agreements with the International Longshoremen's Association ("ILA"), Eller-ITO utilizes ILA members to load and discharge passengers and cargo, to handle baggage and cargo, to operate, maintain, and repair its equipment, and to work in its warehouse. Included in the collective bargaining agreements are: a Deepsea Longshore Agreement, a Deepsea Clerks and Checkers Agreement, and a Mechanics and Maintenance Agreement.

4/4/22, 3:39 PM

Detail by Officer/Registered Agent Name

DIVISION OF CORPORATIONS



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Detail by Officer/Registered Agent Name

Foreign Limited Liability Company
ELLER-I.T.O. STEVEDORING COMPANY L.L.C.

Filing Information

Document Number	M98000000642
FEI/EIN Number	65-0842170
Date Filed	06/18/1998
State	DE
Status	ACTIVE
Last Event	LC STMNT OF RA/RO CHG
Event Date Filed	09/16/2019
Event Effective Date	NONE

Principal Address

1007 NORTH AMERICA WAY, SUITE 501
MIAMI, FL 33132

Changed: 02/16/2010

Mailing Address

1007 NORTH AMERICA WAY, SUITE 501
MIAMI, FL 33132

Changed: 02/16/2010

Registered Agent Name & Address

C T CORPORATION SYSTEM
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324

Name Changed: 09/16/2019

Address Changed: 09/16/2019

Authorized Person(s) Detail

Name & Address

Title MGR

4/4/22, 3:39 PM

Detail by Officer/Registered Agent Name

VICKERS, RAYMOND
424 East Call Street
Tallahassee, FL 32301

Title SENIOR VICE PRESIDENT

AROCHA, CHRISTOPHER
1007 NORTH AMERICA WAY, SUITE 501
MIAMI, FL 33132

Title VICE PRESIDENT - FINANCE

GUARDADO, SILVIA
1007 NORTH AMERICA WAY, SUITE 501
MIAMI, FL 33132

Title Manager

MONTGOMERY, MARK
525 Washington Blvd
Suite 1660
Jersey City, NJ 07310

Annual Reports

Report Year	Filed Date
2020	01/16/2020
2021	02/03/2021
2022	01/26/2022

Document Images

01/26/2022 -- ANNUAL REPORT	View image in PDF format
02/03/2021 -- ANNUAL REPORT	View image in PDF format
01/16/2020 -- ANNUAL REPORT	View image in PDF format
09/16/2019 -- CORLCRACHG	View image in PDF format
08/16/2019 -- CORLCRACHG	View image in PDF format
03/14/2019 -- ANNUAL REPORT	View image in PDF format
03/13/2018 -- AMENDED ANNUAL REPORT	View image in PDF format
01/16/2018 -- ANNUAL REPORT	View image in PDF format
03/14/2017 -- ANNUAL REPORT	View image in PDF format
04/14/2016 -- ANNUAL REPORT	View image in PDF format
01/13/2015 -- ANNUAL REPORT	View image in PDF format
04/14/2014 -- ANNUAL REPORT	View image in PDF format
03/25/2013 -- ANNUAL REPORT	View image in PDF format
03/20/2012 -- ANNUAL REPORT	View image in PDF format
04/21/2011 -- ANNUAL REPORT	View image in PDF format

4/4/22, 3:39 PM

Detail by Officer/Registered Agent Name

02/16/2010 -- ANNUAL REPORT	View image in PDF format
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04/28/1999 -- ANNUAL REPORT	View image in PDF format
06/18/1998 -- Foreign Limited	View image in PDF format

1/16/2022 10:10:10 AM



Western Surety Company

CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No. 70602397 briefly described as STEVEDORE PORT OF MIAMI

for CHRISTOPHER C. AROCHA, as Principal,

in the sum of \$ ONE THOUSAND AND NO/100 Dollars, for the term beginning January 15, 2022, and ending January 15, 2023, subject to all the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 8th day of December, 2021.



WESTERN SURETY COMPANY

By Paul T. Bruflat
Paul T. Bruflat, Vice President

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

Eller-I.T.O. Superintendents:

- | | |
|-------------------------|--------------------------|
| 1 ALIZAGA, MANUEL | 26 MEGHOO, PETER |
| 2 ANDERSON, ROHAN | 27 MEGHOO, TAJE |
| 3 CAPOTE, ROBERTO | 28 MORAIS, GEORGE |
| 4 CASTRO, JOSE A. | 29 MYRIE, DAMION |
| 5 DOMINGUEZ, ANTONIO | 30 PEREZ, GILBERTO |
| 6 DOMINGUEZ, FLORENTINO | 31 POLITIS, CHARALAMPOS |
| 7 FORMOSO, IDALBERTO | 32 POMARES, ERNESTO |
| 8 GALO, ALEJANDRO | 33 RESTREPO, MARCOS |
| 9 GARCIA, BRYAN | 34 RUBIERA, ROBERTO |
| 10 GODINEZ, JOSE | 35 SANTOS, ERICK |
| 11 GOMEZ, JOHNNY | 36 SCHRODER, CHARLES |
| 12 GONZALEZ, YUSNIEL | 37 SCHROEDER, CHARLIE A. |
| 13 HERRERA, MANUEL | 38 SHARPE, EXAVIER |
| 14 HIERREZUELO, JORGE | 39 SMITH, TROY A. |
| 15 JIMENEZ, ANGEL E. | 40 VALDES, RICARDO |
| 16 JOHNSON, ALFONSO | 41 VILLABRILLE, RAMON |
| 17 JONES, ROBERT | 42 ZACHARSKI, EMIL |
| 18 LEBRON, JONATHAN | |
| 19 LOPEZ, FRANK | |
| 20 MADEO, DOMINICK | |
| 21 MAIRENA, ALEXANDER | |
| 22 MALESPIN, JOAQUIN | |
| 23 MANNING, KARL | |
| 24 MANZUETA, PEDRO A. | |
| 25 MARRERO, KYLE | |

ELLER-ITO STEVEDORING CO., LLC	
SUPERINTENDENTS (18)	OFFICE (17)
1 CAPOTE, ROBERTO	1 ALVAREZ, FERNANDO
2 CASTRO, JOSE A.	2 AROCHA, CHRISTOPHER
3 DOMINGUEZ, ANTONIO	3 CALVETE, ELIZENDA
4 FORMOSO, IDALBERTO	4 DIAZ-POMARES, ARIAGNA
5 HERRERA, MANUEL	5 GUARDADO, SILVIA
6 HIERREZUELO, JORGE	6 GUARDADO, VICTOR
7 LEBRON, JONATHAN	7 JOHNSON, ALFONSO
8 MALESPIN, JOAQUIN	8 MARTINEZ, FRED
9 MANZUETA, PEDRO	9 MURSULI, ESTHER
10 MORAIS, GEORGE	10 PARADELA, LOURDES
11 MYRIE, DAMION	11 PAREDES, ELENA
12 PEREZ, GILBERTO	12 PEREMENIS, CHRIS
13 POMARES, ERNESTO	13 SCHRODER, CHARLES
14 RESTREPO, MARCOS	14 SCHROEDER, KEVIN
15 SANTOS, ERICK	15 SUAREZ, PABLO
16 SCHROEDER, CHARLIE A.	16 TIFFER, JONATHAN
17 SMITH, TROY A.	17 VASQUEZ, ARMANDO
18 VILLABRILLE, RAMON	
PART-TIMERS (17)	SPECIAL PROJECTS (1)
1 ALIZAGA, MANUEL	1 TABRAUE, MARIO G.
2 GARCIA, BRYAN	
3 GOMEZ, JOHNNY	WAREHOUSE (1)
4 GONZALEZ, YUSNIEL	1 GODINEZ, JOSE
5 JIMENEZ, ANGEL E.	
6 JONES, ROBERT	RAIL (1)
7 LOPEZ, FRANK	1 GALO, ALEJANDRO
8 MADEO, DOMINICK	
9 MAIRENA, ALEXANDER	MECHANIC SHOP / M&R (3)
10 MARRERO, KYLE	1 ALBERTO PARADELA
11 MEGHOO, PETER	2 PERICH, MAGDA
12 MEGHOO, TAJE	3 CARRUYO, GABRIEL
13 POLITIS, CHARALAMPOS	
14 RUBIERA, ROBERTO	PLANNING (3)
15 VALDES, RICARDO	1 MANNING, KARL
16 ZACHARSKI, EMIL	2 ANDERSON, ROHAN
17 SHARPE, EXAVIER	3 DOMINGUEZ, FLORENTINO
	*Total Employees: 61



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/18/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bruce Gendelman Co., Inc. 500 West Brown Deer Road, Suite 101 Milwaukee WI 53217	CONTACT NAME: PHONE (A/C, No, Ext): 262-478-1000 FAX (A/C, No): 262-478-1001 E-MAIL ADDRESS: <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; border: none;">INSURER(S) AFFORDING COVERAGE</td> <td style="text-align: center; border: none;">NAIC #</td> </tr> <tr> <td style="border: none;">INSURER A : Starr Indemnity & Liability Co</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">INSURER B : United States Fire Ins. Co.</td> <td style="border: none; text-align: center;">21113</td> </tr> <tr> <td style="border: none;">INSURER C : National Casualty Company</td> <td style="border: none; text-align: center;">11991</td> </tr> <tr> <td style="border: none;">INSURER D : Signal Mutual</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">INSURER E : Navigators Insurance Company</td> <td style="border: none; text-align: center;">42307</td> </tr> <tr> <td style="border: none;">INSURER F :</td> <td style="border: none;"></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Starr Indemnity & Liability Co		INSURER B : United States Fire Ins. Co.	21113	INSURER C : National Casualty Company	11991	INSURER D : Signal Mutual		INSURER E : Navigators Insurance Company	42307	INSURER F :	
INSURER(S) AFFORDING COVERAGE	NAIC #														
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INSURER F :															
INSURED Eller-ITO Stevedoring Company, LLC 1007 North America Way Suite 501 Miami FL 33132	License#: L003035 ELLESTE-01														

COVERAGES CERTIFICATE NUMBER: 236931032 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			MASILB00056351	10/1/2021	10/1/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/POP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			1337509134	10/1/2021	10/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
C D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y	N/A	WCSIG35008103 25100	10/1/2021 10/1/2021	10/1/2022 10/1/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
E E	Excess Liab - \$9mm Primary Excess Liab - \$15mm xs \$9mm			NY21LIA00327802 NY21LIA00327803	10/1/2021 10/1/2021	10/1/2022 10/1/2022	Occurrence/Aggregate \$9,000,000 Occurrence/Aggregate \$15,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Certificate Holder Note: Certificate holder is included as an Additional Insured as required by written contract as respects to the Named Insureds Operations on the liability. Coverage includes accidental Pollution Liability under the Marine General Liability policy.

CERTIFICATE HOLDER Broward County 1850 Eller Drive Ft. Lauderdale FL 33316 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

ELLER-I.T.O. STEVEDORING COMPANY L.L.C.
BALANCE SHEETS

DECEMBER 31, 2021 AND 2020

	<u>2021</u>	<u>2020</u>
ASSETS		
Current Assets:		
Cash and cash equivalents	\$ 40,852	\$ 2,079,696
Accounts receivable, net	15,516,074	6,700,618
Prepaid expenses and other current assets	<u>1,041,868</u>	<u>1,097,084</u>
Total Current Assets	16,598,794	9,877,398
Property and equipment, net	13,489,487	11,644,795
Goodwill	<u>3,553,179</u>	<u>3,553,179</u>
Total Assets	<u>\$ 33,641,460</u>	<u>\$ 25,075,372</u>
LIABILITIES AND MEMBERS' EQUITY		
Current Liabilities:		
Accounts payable	\$ 6,683,790	\$ 2,133,988
Other payables and accrued expenses	4,032,150	3,344,375
Revolving line of credit	1,039,572	-
Current maturities of long-term debt	1,520,047	810,389
Current maturities of capital lease obligations	<u>660,648</u>	<u>688,686</u>
Total Current Liabilities	13,936,207	6,977,438
Long-term debt, less current maturities	4,802,576	2,419,450
Capital lease obligations, less current maturities	<u>84,280</u>	<u>744,828</u>
Total Liabilities	<u>18,823,063</u>	<u>10,141,716</u>
Members' Equity:		
Members' capital contribution	5,573,386	5,573,386
Retained earnings	<u>9,245,011</u>	<u>9,360,270</u>
Total Members' Equity	<u>14,818,397</u>	<u>14,933,656</u>
Total Liabilities and Members' Equity	<u>\$ 33,641,460</u>	<u>\$ 25,075,372</u>

ELLER-I.T.O. STEVEDORING COMPANY L.L.C.
STATEMENTS OF OPERATIONS

YEARS ENDED DECEMBER 31, 2021 AND 2020

	<u>2021</u>	<u>2020</u>
Operating revenues	\$ 76,775,888	\$ 69,836,220
Operating expenses	<u>(71,069,844)</u>	<u>(63,651,471)</u>
Gross Margin	5,706,044	6,184,749
Rental and other revenue	1,394,410	1,167,680
General and administrative expenses	<u>(3,549,510)</u>	<u>(3,384,679)</u>
Income from Operations	3,550,944	3,967,750
Interest expense, net	<u>(166,203)</u>	<u>(215,004)</u>
Net Income	<u>\$ 3,384,741</u>	<u>\$ 3,752,746</u>

ELLER-I.T.O. STEVEDORING COMPANY L.L.C.
STATEMENTS OF CASH FLOWS

YEARS ENDED DECEMBER 31, 2021 AND 2020

	<u>2021</u>	<u>2020</u>
Cash flows from operating activities:		
Net income	\$ 3,384,741	\$ 3,752,746
Adjustments to reconcile net income to net cash flows from operating activities:		
Depreciation and amortization	2,460,290	2,265,793
Gain on disposal of property and equipment	(46,852)	(7,000)
Provision for bad debt	-	105,000
Changes in operating assets and liabilities:		
Accounts receivable	(8,815,456)	6,651,201
Prepaid expenses and other current assets	55,216	223,569
Accounts payable	4,549,802	(3,289,207)
Other payables and accrued expenses	687,775	(1,464,324)
Net cash flows from operating activities	<u>2,275,516</u>	<u>8,237,778</u>
Cash flows from investing activities:		
Purchases of property and equipment	(308,496)	(622,098)
Proceeds from sale of property and equipment	50,680	7,000
Net cash flows from investing activities	<u>(257,816)</u>	<u>(615,098)</u>
Cash flows from financing activities:		
Borrowings on revolving line of credit	18,588,262	12,883,257
Payments on revolving line of credit	(17,548,690)	(14,023,099)
Payments on long-term debt	(907,530)	(688,529)
Payments on capital lease obligations	(688,586)	(714,966)
Distributions	(3,500,000)	(3,000,000)
Net cash flows from financing activities	<u>(4,056,544)</u>	<u>(5,543,337)</u>
Net change in cash and cash equivalents	(2,038,844)	2,079,343
Cash and cash equivalents, beginning of year	2,079,696	353
Cash and cash equivalents, end of year	<u>\$ 40,852</u>	<u>\$ 2,079,696</u>
Supplemental disclosure of cash flow information and noncash investing and financing activities:		
Cash paid for interest	<u>\$ 166,332</u>	<u>\$ 216,569</u>
Property and equipment acquired through capital lease obligations	<u>\$ -</u>	<u>\$ 156,407</u>
Property and equipment acquired through long-term debt	<u>\$ 4,000,314</u>	<u>\$ 611,444</u>

BUSINESS REFERENCES FOR ELLER-ITO STEVEDORING CO., LLC

ROYAL CARIBBEAN CRUISE LTD

Levar Kennings - Manager
1050 Caribbean Way
Miami, FL 33132
Tel: (305) 539-675

PORT MIAMI

Juan Kuryla – Port Director
1015 North American Way
Miami, FL 33132
Tel: (305) 530-1154

SEABOARD MARINE

Bruce Brecheisen – Vice President
8001 NW 79 Ave
Miami, FL 33166
Tel: (305) 863-4444

PNC BANK

Caroline Micheli – Commercial Banking
First Avenue
Pittsburgh, PA 15219
Tel: (561) 803-9719

PNC Bank, National Association
Trade Services Operations
500 First Avenue - 2nd Floor
Pittsburgh, PA 15219
Mail Stop: P7-PF5C-02-T

Customer Service: 1-800-602-4689
SWIFT Address: PNCCUS33



BENEFICIARY:
BROWARD COUNTY
SEE BELOW FOR COMPLETE NAME/ADDRESS
FORT LAUDERDALE FL 33316

APPLICANT:
ELLER-ITO STEVEDORING CO., LLC
1007 N. AMERICA WAY
SUITE 501
MIAMI FL 33132

IRREVOCABLE STANDBY LETTER OF CREDIT

OUR REFERENCE: 18117306-00-000
AMOUNT: USD \$20,000.00
ISSUE DATE: APRIL 30, 2012
EXPIRY DATE: APRIL 30, 2013
EXPIRY PLACE: OUR COUNTERS

BENEFICIARY'S FULL NAME AND ADDRESS:

BROWARD COUNTY
ATTN: CHIEF EXECUTIVE AND PORT DIRECTOR, BROWARD COUNTY'S PORT
EVERGLADES DEPARTMENT
1850 ELLER DRIVE
FORT LAUDERDALE, FLORIDA 33316

2012 MAY 2 AM 11:32
RECEIVED
PORT EVERGLADES DEPT
BUSINESS ADMIN.

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT NO. 18117306-00-000, IN YOUR FAVOR AND FOR THE ACCOUNT OF ELLER-ITO STEVEDORING CO., LLC, AVAILABLE BY BROWARD COUNTY'S DRAFT(S) DRAWN ON US PAYABLE AT SIGHT UP TO AN AGGREGATE AMOUNT OF TWENTY THOUSAND AND 00/100 UNITED STATES DOLLARS (US\$ 20,000.00) WHEN ACCOMPANIED BY THIS ORIGINAL LETTER OF CREDIT AND ANY ORIGINAL AMENDMENT(S), IF ANY, AND THE FOLLOWING DOCUMENTS:

1. DRAFT(S) DRAWN ON US AT SIGHT.
2. A SIGNED STATEMENT PURPORTEDLY SIGNED BY AN AUTHORIZED REPRESENTATIVE OF THE CHIEF EXECUTIVE AND PORT DIRECTOR OF BROWARD COUNTY'S PORT EVERGLADES DEPARTMENT STATING THAT THE AMOUNT OF THE DRAWING REPRESENTS AMOUNTS DUE AND UNPAID TO BROWARD COUNTY ARISING FROM EITHER:

(A) FAILURE OF ELLER-ITO STEVEDORING CO., LLC TO PAY TO BROWARD COUNTY WHEN DUE, ANY AND ALL TARIFF OR OTHER CHARGES THAT HAVE ACCRUED AT PORT EVERGLADES (WHETHER RELATING TO THE FURNISHING OF SERVICES OR MATERIALS TO ELLER-ITO STEVEDORING CO., LLC, ITS PRINCIPALS, AGENTS, SERVANTS, OR EMPLOYEES AT PORT EVERGLADES; OR, DUE TO INJURY TO PROPERTY OF PORT EVERGLADES; OR, STEMMING FROM THE USE OF PORT EVERGLADES FACILITIES BY ELLER-ITO STEVEDORING CO., LLC, ITS PRINCIPALS, AGENTS, SERVANTS OR EMPLOYEES; OR, OTHERWISE);

OR

(B) COSTS, EXPENSES, LOSSES, DAMAGES OR INJURY SUSTAINED BY BROWARD COUNTY FROM NON-COMPLIANCE BY ELLER-ITO STEVEDORING CO., LLC, ITS

PNC Bank, National Association
Trade Services Operations
500 First Avenue - 2nd Floor
Pittsburgh, PA 15219
Mail Stop: P7:PFSC-02-T

Customer Service: 1-800-662-4689
SWIFT Address: PNCUC933



PRINCIPALS, AGENTS, SERVANTS, OR EMPLOYEES WITH APPLICABLE LAWS, ORDINANCES, RULES AND REGULATIONS OF THE FEDERAL, STATE AND LOCAL GOVERNMENTAL UNITS OR AGENCIES (INCLUDING BUT NOT LIMITED TO TERMS AND PROVISIONS OF THE BROWARD COUNTY CODE OF ORDINANCES, ADMINISTRATIVE CODE, AND ALL PROCEDURES AND POLICIES OF THE PORT EVERGLADES DEPARTMENT), AS AMENDED FROM TIME TO TIME;


OR

(C) COSTS, EXPENSES, LOSSES, DAMAGES OR INJURY SUSTAINED BY BROWARD COUNTY FROM ANY ACT, OMISSION, NEGLIGENCE OR MISCONDUCT OF ELLER-ITO STEVEDORING CO., LLC, ITS PRINCIPALS, AGENTS, SERVANTS OR EMPLOYEES IN PORT EVERGLADES (WHETHER CAUSING INJURY TO PERSONS OR OTHERWISE).

THIS LETTER OF CREDIT SHALL BE EXTENDED FOR SUCCESSIVE PERIODS OF ONE (1) YEAR EACH UNLESS WE PROVIDE TO BROWARD COUNTY THROUGH THE CHIEF EXECUTIVE AND PORT DIRECTOR OF THE PORT EVERGLADES DEPARTMENT AT THE ABOVE STATED ADDRESS OF OUR WRITTEN NOTICE OF OUR INTENT NOT TO FURTHER EXTEND THIS LETTER OF CREDIT, WHICH NOTICE MUST BE PROVIDED TO YOU AT LEAST NINETY (90) CALENDAR DAYS PRIOR TO THE EXPIRATION DATE OF THE ORIGINAL TERM HEREOF OR ANY EXTENDED ONE (1) YEAR TERM.

ANY DRAFT(S) DRAWN UNDER THIS LETTER OF CREDIT SHALL BEAR THE CLAUSE: "DRAWN UNDER PNC BANK, NATIONAL ASSOCIATION IRREVOCABLE STANDBY LETTER OF CREDIT NO. 18117306-00-000 DATED APRIL 30, 2012." THE ORIGINAL LETTER OF CREDIT AND ANY ORIGINAL AMENDMENT(S), IF ANY, MUST ACCOMPANY ANY DRAWING AND THE DATE AND AMOUNT OF EACH DRAWING MUST BE ENDORSED ON THE REVERSE SIDE OF THIS ORIGINAL LETTER OF CREDIT BY PNC BANK, NATIONAL ASSOCIATION.

THIS CREDIT IS SUBJECT TO THE "UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS", INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 600, 2007 REVISION, AND TO THE PROVISIONS OF FLORIDA LAW. IF A CONFLICT BETWEEN THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS AND FLORIDA SHOULD ARISE, FLORIDA LAW SHALL PREVAIL. IF A CONFLICT BETWEEN THE LAW OF ANOTHER STATE OR COUNTRY AND FLORIDA LAW SHOULD ARISE, FLORIDA LAW SHALL PREVAIL.


PNC BANK, NATIONAL ASSOCIATION
GLOBAL TRADE SERVICE OPERATIONS

PNC Bank, National Association
Trade Services Operations
500 First Avenue - 2nd Floor
Pittsburgh, PA 15219
Mail Stop: P7-PFSC-02-T

Customer Service: 1-800-682-4689
SWIFT Address: PNCCUS33



DATE: MARCH 18, 2014

BENEFICIARY:
BROWARD COUNTY
SEE BELOW FOR COMPLETE NAME/ADDRESS
FORT LAUDERDALE FL 33316

APPLICANT:
ELLER-ITO STEVEDORING CO., LLC
1007 N. AMERICA WAY
SUITE 501
MIAMI FL 33132

AMENDMENT TO IRREVOCABLE STANDBY LETTER OF CREDIT

OUR REFERENCE: 18117306-00-000
AMENDMENT NUMBER: 2

WE HEREBY AMEND OUR IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER
18117306-00-000 AS FOLLOWS:

THE AMOUNT IS INCREASED BY: USD \$40,000.00
TOTAL LIABILITY AMOUNT NOW TO READ: USD \$80,000.00

BENEFICIARY'S COMPLETE NAME AND ADDRESS:

BROWARD COUNTY
ATTN: CHIEF EXECUTIVE AND PORT DIRECTOR, BROWARD COUNTY'S PORT
EVERGLADES DEPARTMENT
1850 ELLER DRIVE
FORT LAUDERDALE, FLORIDA 33316

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

PNC BANK, NATIONAL ASSOCIATION
GLOBAL TRADE SERVICE OPERATIONS

RECEIVED BY
PORT EVERGLADES DEPT.
BUSINESS ADMINISTRATION
2014 MAR 20 AM 10:25

Eller-ITO Stevedoring Co., LLC

Pg.1

PEV Assets

ELEC. PALLET JACK (13)

<u>Asset I.D.#</u>	<u>Manufacturer</u>	<u>Model</u>	<u>Serial#</u>
140	ELEC. PALLET JACK	MITSUBISHI	98205630
144	ELEC. PALLET JACK	MITSUBISHI	98239656
145	ELEC. PALLET JACK	MITSUBISHI	98239654
146	ELEC. PALLET JACK	MITSUBISHI	98239653
147	ELEC. PALLET JACK	MITSUBISHI	98239652
148	ELEC. PALLET JACK	MITSUBISHI	98239665
149	ELEC. PALLET JACK	MITSUBISHI	98239662
151	ELEC. PALLET JACK	MITSUBISHI	98239663
152	ELEC. PALLET JACK	MITSUBISHI	98239664
154	ELEC. PALLET JACK	MITSUBISHI	98248255
156	ELEC. PALLET JACK	MITSUBISHI	98248257
157	ELEC. PALLET JACK	MITSUBISHI	98248258
158	ELEC. PALLET JACK	MITSUBISHI	98248254

FORKLIFT (13)

<u>Asset I.D.#</u>	<u>Manufacturer</u>	<u>Model</u>	<u>Serial#</u>
PEV312 [YR. 2019 - CAP. 6,000 LBS.]	CATERPILLAR		AT14G00864
PEV313 [YR. 2019 - CAP. 6,000 LBS.]	CATERPILLAR		AT14G00871
PEV314 [YR. 2019 - CAP. 6,000 LBS.]	CATERPILLAR		AT14G00872
PEV315 [YR. 2019 - CAP. 6,000 LBS.]	CATERPILLAR		AT14G00873
PEV316 [YR. 2019 - CAP. 6,000 LBS.]	CATERPILLAR		AT14G00920
PEV317 [YR. 2019 - CAP. 6,000 LBS.]	CATERPILLAR		AT14G00926
PEV318 [YR. 2019 - CAP. 6,000 LBS.]	CATERPILLAR		AT14G00927
PEV319 [YR. 2019 - CAP. 6,000 LBS.]	CATERPILLAR		AT14G00921
PEV320 [YR. 2019 - CAP. 10,000 LBS.]	CATERPILLAR		AT19E80516
PEV321 [YR. 2019 - CAP. 10,000 LBS.]	CATERPILLAR		AT19E80517
PEV322 [YR. 2019 - CAP. 10,000 LBS.]	CATERPILLAR		AT19E80518
PEV323 [YR. 2019 - CAP. 10,000 LBS.]	CATERPILLAR		AT19E80519
PEV324 [YR. 2019 - CAP. 27,000 LBS.]	CATERPILLAR		AF15F00019

Eller-ITO Stevedoring Co., LLC

Pg.2

PEV Assets

PICKUP (5)

<u>Asset I.D.#</u>	<u>Manufacturer</u>	<u>Model</u>	<u>Serial#</u>
824 [YR. 2009 STEVEDORE TRUCK]	FORD	RANGER	1FTYR10099PA48540
861 [YR. 2013 SERVICE TRUCK]	CHEVY	SILVERADO 2500	1GC1CVCG0DF173862
PEV500 [PEV TIME KEEPER TRUCK]	FORD	RANGER	1GCHC24U54E233285
PEV501 [YR. 2004 PEV SERVICE TRUCK]	CHEVY	2500	1GCHC24U54E233285
PEV502 [YR. 2009 PEV CHIEF CLERK TRUCK]	FORD	RANGER	1FTYR14D09PA12651

GOLF CART (8)

<u>Asset I.D.#</u>	<u>Manufacturer</u>	<u>Model</u>	<u>Serial#</u>
PEV600	PEV GOLF CART	E-Z-GO	2366846
PEV603	PEV GOLF CART	E-Z-GO	5041577
PEV604	PEV GOLF CART	E-Z-GO	5043088
PEV608	YR. 2012 PEV GOLF CART	YAMAHA	JW8-106216
PEV609	YR. 2016 PEV GOLF CAR		
PEV610	PEV GOLF CART	E-Z-GO	5089306-C0810
2270	YR. 2014 MIA GOLF CART	CLUB CAR	PR1422-465910
2273	YR. 2016 - MIA GOLF CART	YAMAHA	JW8-601429

BROWARD COUNTY LOCAL BUSINESS TAX RECEIPT

115 S. Andrews Ave., Rm. A-100, Ft. Lauderdale, FL 33301-1895 – 954-831-4000
VALID OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022

DBA: ELLER-ITO STEVEDORING COMPANY LLC **Receipt #:** 329-239182
Business Name: ELLER-ITO STEVEDORING COMPANY LLC **Business Type:** ALL OTHERS (FREIGHT SERVICES)

Owner Name: ELLER-ITO STEVEDORING COMPANY LLC **Business Opened:** 02/11/2011
Business Location: 2550 EISENHOWER BLVD #2 **State/County/Cert/Reg:**
MIAMI DADE COUNTY **Exemption Code:**
Business Phone: 305-379-3700

Rooms Seats Employees Machines Professionals
15

For Vending Business Only						
Number of Machines:				Vending Type:		
Tax Amount	Transfer Fee	NSF Fee	Penalty	Prior Years	Collection Cost	Total Paid
120.00	0.00	0.00	0.00	0.00	0.00	120.00

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS

THIS BECOMES A TAX RECEIPT
WHEN VALIDATED

This tax is levied for the privilege of doing business within Broward County and is non-regulatory in nature. You must meet all County and/or Municipality planning and zoning requirements. This Business Tax Receipt must be transferred when the business is sold, business name has changed or you have moved the business location. This receipt does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.

Mailing Address:

ELLER-ITO STEVEDORING COMPANY LLC
1007 N AMERICA WAY STE 501
MIAMI, FL 33132

Receipt # 30B-20-00004338
Paid 07/15/2021 120.00

2021 - 2022

BROWARD COUNTY LOCAL BUSINESS TAX RECEIPT

115 S. Andrews Ave., Rm. A-100, Ft. Lauderdale, FL 33301-1895 – 954-831-4000
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For Vending Business Only						
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Receipt # 30B-20-00004338
Paid 07/15/2021 120.00

ELLER – ITO Stevedoring Company, L.L.C.

1007 North America Way, #501 Miami, Florida 33132
Telephone: (305) 379-3700 / Facsimile: (305) 371-9969

Date: April 13, 2022
To: Ariagna
From: Al Johnson

Section P.

1. Provide a copy of Applicants Safety program.

The elements of a good Safety Program are listed below and are outlined in the **Eller-ITO Safety Manual**. Each employee is provided with classroom instruction to ensure they understand, adhere to, and enforce the rules delineated within.

- a. Management Commitment via Written Policy
- b. Employee Assignments, Responsibilities, and Accountabilities.
- c. Safety Rules, Standards, Work Procedures and Communications
- d. Safety Training – Forklifts, Cranes, Top Loaders, Pallet Jacks
- e. Skill Training- First Aid, CPR, PPE Compliance
- f. Accident Prevention and Hazard Recognition
- g. Personal Injury and Property Damage Analysis

2. Provide a copy of Applicant's substance abuse policy.

As delineated in the Eller-ITO Employees Handbook, page 21:

- a. "Eller-ITO we strive to provide a drug- free, healthful, and safe workplace; and employees are required to report to work in mental and physical condition that facilities satisfactory and safe performance of their jobs. No employee who is on Eller-ITO premises or conducting business related activities off Eller-ITO premises may use, possess, distribute, sell or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform job in an effective and safe manner. Violations of this policy may lead to disciplinary action, which may result in immediate suspension or termination of employment, as well as required participation in a substance abuse, rehabilitation, or treatment programs. Such violations also have legal consequences, both civil and criminal."

"If an employee informs management of a drug or alcohol problem, consideration will be given to allowing unpaid leave, so the employee can enroll in a rehabilitation program. Eller-ITO reserves the right to request that an employee

ELLER – ITO Stevedoring Company, L.L.C.

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take a drug test when there is reasonable suspicion that the employee is using or experiencing the effects of drugs, alcohol, or any other substance.”

- b. In regards to the International Longshoreman Association, (contracted labor hired by Eller-ITO), a ‘Memorandum of Agreement’ to Management –ILA Collective Bargaining Agreement exists that supports the effort to provide a drug-free, safe workplace. The Collective Bargaining Agreement further expands on the right to subject an ILA employee to submit to a sample of urine and / or alcohol for chemical analysis. The purpose of the analysis is to determine or to rule the presence of alcohol, drugs, prohibited dangerous substance that can affect the ability of the employee to perform satisfactorily. In the event that the test shall show positive results, the Collective Bargaining Agreement outlines disciplinary actions that may occur; or if offered and accepted, the opportunity to abide by the terms and conditions for treatment and rehabilitation as set forth in the Alcohol and Substance Abuse Program.
3. Give a copy of the Yard and Vessel Superintendent Training Manual
 4. Provide information regarding frequency of training.
 - Training is offered on a weekly basis (Mon or Tues) for Powered Industrial Trucks (PIT) including Top Loaders, Forklifts, and Heavy Lifts to ILA members requiring certification / or re-certification training. PIT certifications must be renewed every three years per OSHA.
 - Crane Operator training is also provided on a weekly basis (every Monday) to ILA members requiring training needs.
 - Hazardous Materials Awareness Training- is provided on a quarterly basis /or as need. Haz Mat certifications are required by both Eller-ITO Superintendents and ILA members. Haz-Mat must be renewed every 3 years per OSHA.
 - First Aid and CPR training is provided to Eller-ITO Superintendents every two years per OSHA requirements.
 - OSHA 10 Hour Safety Training Course is provided to E-I Superintendents every four years as required by OSHA.
 - Accident Prevention and Supervisor Management training is provided by Signal Mutual annually. Every Superintendent is required to attend.

ELLER – ITO Stevedoring Company, L.L.C.

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- Superintendent Meetings are held on the first Tuesday of each odd month. A myriad of safety and training topics are discussed pertaining to Stevedoring operations / concerns.
- Lastly, an Eller-ITO / ILA Safety Meeting is held Quarterly with all Safety Officers and Union Officials from PEV, Miami and Cape Canaveral. A myriad of safety and training topics are discussed. This includes guest speakers from industry- demonstrating Harness Belts applications, and other safety equipment features.



Safety Manual

September 3, 2013

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POLICY

The business of Eller-I.T.O. Stevedoring Company, L.L.C. ("Eller-ITO") demands that we formulate and effectuate the best safety program possible. This Safety Manual is for use in implementing such a program. The program's purpose is to eliminate personal injury, occupational illness, and equipment and property damage. The Company strives to protect not only its employees but also members of the public who come into contact with our work.

Safety starts at the top. Management and supervisory personnel are responsible for preventing incidents that result in injuries, illnesses, and damage. Each day our duty is to furnish safe and efficient work places and to send each employee home to his or her family in good health.

Christopher C. Arocha
Senior Vice President

I. SAFETY PROGRAM

Eller-I.T.O. Stevedoring Company, L.L.C. ("Eller-ITO") firmly believes and is committed to the principle that all injuries can be prevented and that no injury is acceptable. The goal of zero accidents and injuries is the guiding principle. Through efforts to implement, enforce, and improve its Safety Program, the Company strives to attain this goal. This Manual is updated from time to time to reflect amendments and additions to pertinent Occupational Safety & Health Administration ("OSHA") regulations.

1. Safety Inspections.

Continuous inspection of cargo-handling and cruise operations is necessary to ensure adherence to Eller-ITO safety standards. Supervisors' primary duties include inspecting work areas for unsafe work practices, facilities, and equipment, as well as hazards. Federal regulatory inspectors and insurance inspectors assist in these efforts.

No one can perform safety inspections of specific work areas and operations better than the Header and the Superintendents in charge. These personnel know the work place, equipment, operations, and personnel; they can identify and remove deficiencies in the work area and control personnel under their supervision. Proper safety inspections require use of special checklists tailored to specific areas and operations. Safety checklist formats are included in the Appendix to this Manual.

Whenever a health hazard is discovered or suspected, a special inspection should be made to determine its nature and extent. Such an inspection usually requires air sampling for the presence of toxic fumes, gases, and dust; testing of materials for toxic properties; or testing of ventilation and exhaust systems for proper operation. Information as to such inspections may be obtained from representatives of OSHA and the United States Coast Guard ("USCG"), fire and rescue units, and Eller-ITO's insurer. Testing for toxic substances and physical examinations often require special equipment not usually available to maritime employers. Assistance can be obtained from industrial hygienists, doctors, hospitals, fire and rescue units, safety supply companies, and Eller-ITO's insurers.

Intermittent inspections by Management representatives, the Safety Director, and insurance specialists are effective to keep supervisory staff alert to detect hazards. Management also should encourage employees to report to their Supervisors immediately any known or suspected unsafe acts, as well as physical conditions of the area, equipment, or operations. Supervisors then can take prompt action to ensure correction.

A word of praise to those making such reports encourages active participation in the safety program. Moreover, reports based on inspections are good topics for safety classes and meetings and are a means for evaluation of the Company's safety and accident prevention programs and each Manager, Superintendent's, and Headers performance.

2. Safety Meetings.

Safety Meetings are an important part of the Eller-ITO safety program. Meetings organized by Eller-ITO's Safety Director for Company Superintendents and International Longshoremen's Association ("ILA") workers. Safety Meetings have been a successful means of communicating accident prevention information, and attendees have pointed out hazards or conditions needing correction which otherwise might not have been reported. For example, information received from ILA Headers responsive to questions about the equipment or gear is to the Company's benefit.

Held monthly, Safety Meetings last thirty (30) to forty (40) minutes. Scheduling during the noon hour, with a hot lunch and cold drinks, on a day when most gangs are working for the Company is best. Occasionally the meeting should feature a guest speaker or a film on safety. The Safety Director is responsible for making arrangements.

(TYPICAL MEETING AGENDA)

1. Call to Order and start with a Safety Contact (message).
2. Review accidents, injuries, and property damage since last meeting, describing circumstances, identifying personnel involved, and stating whether it was a "lost time accident."
3. Ask for comment on Eller-ITO equipment and gear. Call to everyone's attention any damage to equipment, gear, or cargo.
4. Give Safety Awards.
5. Introduce the guest speaker or show a film on safety.
6. Old business.
7. New business.
8. Adjournment.

The Safety Director is responsible for preparing the Minutes and an attendance record. Attendees should sign the attendance sheet.

3. Safety Duties.

A. Management.

Management's safety duties are:

1. Formulate, publish, promote, and enforce Statement of Policy.
2. Provide means for middle management and labor to achieve safety through the Safety Program.
3. Assign responsibility, authority, and accountability to management personnel.
4. Incorporate safety into all planning, including stevedoring contracts.
5. Control safety progress by:
 - a. Monitoring safety inspection reports and supporting recommendations for correction of deficiencies.
 - b. Examining accident investigation reports and supporting recommendations for prevention of future accidents.
 - c. Respond to recommendations of Safety Committees and Meetings.
6. Provide necessary support for safety training and promotion.
7. Ensure that all equipment, facilities, and gear incorporate essential safety features.
8. Attend Safety Meetings and Participate in Port Safety Programs. REMEMBER "SAFETY STARTS AT THE TOP."

MANAGEMENT SHALL NOT ALLOW ANYONE UNDER THE INFLUENCE OF LIQUOR OR DRUGS, INCLUDING BUT NOT LIMITED TO STIMULANTS OR DEPRESSANTS, TO ENTER THE WORK AREA OR ATTEND, MUCH LESS PARTICIPATE IN, THE JOB.

B. Safety Director.

Eller-ITO's designated Safety Director is responsible for maintaining and enforcing the Safety Program. The Safety Director communicates and works with OSHA and USCG representatives, insurance agents, and port specialists, as well as Company employees. Among the Safety Director's duties are:

1. Implement and coordinate accident prevention and loss control activities.
2. Check compliance with applicable safety and fire codes, statutes, regulations and standards.
3. Conduct safety classes and meetings, record minutes, and maintain attendance records.
4. Inspect Company facilities in ports where Eller-ITO operates.
5. Maintain accident records.
6. Evaluate accident investigations.
7. Assist with job inspections.
8. Work with others mutually interested in maritime safety.

C. Superintendent.

Fulfilling the Superintendent's responsibilities is key to the work of preventing accidents and controlling hazards, since safety and production control are closely associated supervisory functions. Examples of Superintendent's responsibilities are:

1. Establish work methods that are well understood and consistently followed, which is essential to an orderly and safe operation.
2. Give job instruction, with necessary emphasis on safety aspects, which helps eliminate one of the most frequent causes of accidents -- lack of knowledge or skill.
3. Supervise and instruct workers, even after establishing safe work methods. To prevent injuries, Superintendents must watch for and correct unsafe work methods.
4. Know, understand, and require compliance with applicable industry standards and safety duties.
5. Pre-plan operations prior to the start of a job with all levels of supervision under the Superintendent's control. This includes but is not limited to ship inspections, following all regulatory, contractual, and Eller-ITO safety requirements to make sure the work can be carried out safely. Among the Superintendent's duties is

- determination whether any vessel or cargo hazard necessitates use of protective equipment.
6. Conduct regular safety inspections. Each Superintendent continuously must look for, find, and correct unsafe conditions and practices.
 7. Make sure corrections of unsafe conditions and work practices are promptly carried out.
 8. Make sure proper carbon monoxide tests are taken and logged when internal combustion engines are operated in holds of ships, in barges, or in other confined spaces. Provide any required auxiliary ventilation before workers enter such spaces.
 9. Report all accidents resulting in personal injuries, property damage, or both, to the Safety Director immediately. Each Superintendent shall investigate accidents to make sure that proper accident and damage reports are completed and submitted to Eller-ITO Management.
 10. Participate in First Aid and Safety Training classes, such as accident prevention, as required by existing regulations and as directed by Management or the Safety Director.
 11. Set an example for all employees and observe all applicable standards, rules, and Company policies.
 12. Do not tolerate dangerous operation of mechanical equipment and other unsafe acts. Superintendents shall recommend to the Safety Director that workers who perform in an unsafe manner be subject to disciplinary action.
 13. Inspect cargo gear before use.

D. Gang Header / 2nd Man

Safety duties of the Gang Header / 2nd Man, as the person in direct charge of the gang, are:

1. Make sure all work is done in a safe manner, proper clothing is worn, and proper equipment is used.
2. Report promptly to the Superintendent, Supervisor or other Eller-ITO representative on the job any gear or machinery defect and any unsafe working

condition. The Supervisor must act promptly to correct any gear or machinery defect or unsafe working condition.

3. Instruct workers in proper and safe methods of handling cargo, gear, and equipment.
4. Prohibit workers from:
 - a. Taking shortcuts and chances.
 - b. Crowding on gangways and ladders.
 - c. Jumping from ship to dock.
 - d. Standing or sitting in dangerous places such as under suspended or moving loads, between fixed objects and moving loads, or in coils and bights of lines and close to unguarded openings.
 - e. Using tools improperly.
5. Set an example and abide by all applicable safety rules.
6. Maintain good housekeeping.
7. Give clear and understandable instructions on safe operations, and ascertain that these are carried out.

E. Crane Operator

The Crane Operator's safety duties are:

1. Before starting operations:
 - a. Follow all established "start-up" procedures.
 - b. Make sure that the crane is working properly by testing it without a load on the hook.
 - c. Be familiar with all operating procedures of the particular equipment.
 - d. Report any defects to the Superintendent, Header, or Mechanic, who shall act promptly to correct any gear or machinery defects or unsafe working condition.
2. Operate the crane in a safe manner, keeping the load under complete control.
3. Make sure loads are not suspended over heads of workers working under the hook.
4. Make sure all "shut down" procedures are followed before leaving the cab.

5. Keep both hands free when going up and down ladders. Articles too large to go into pockets or belts must be lifted to or lowered from the crane by hand line, except where stairways are provided.
6. Do not hoist improperly slung loads.
7. Adhere to manufacturer's operating procedures and applicable load ratings. Do not overload the crane.
8. Rig to equalize the load on each crane when two cranes are used to hoist a load.
9. Make sure booms do not strike fixed objects and are not struck by swinging loads.
10. Temporarily guard, by ropes or other suitable means, accessible areas within the swing radius of the outermost part of the body of a revolving crane during cargo operations, to prevent a person being between the body of the crane and other fixed parts of the vessel or crane.
11. Adhere to all established storm, wind warnings and crane securing procedures.

F. Vehicle Operator

The Vehicle Operator's safety duties are:

1. Test brakes, steering gear, and mechanisms for raising, lowering, and tilting forks before starting work, and report any defect to the Superintendent, Header, or Mechanic on the job, who shall act promptly to correct any gear or machinery defect or unsafe working condition.
2. Operate lift truck in such a manner as to give an unobstructed view of the direction of travel. Drive in reverse when necessary.
3. Be especially cautious approaching blind corners or other areas where vision is limited.
4. Obey all speed and traffic regulations and other applicable haulage equipment rules.
5. Make sure vehicle is under control at all times, so that it can be brought to an emergency stop in visibly clear space.
6. Permit a worker to ride only on specific instructions from the Superintendent or Header in charge of operations, unless the equipment is designed to accommodate passengers.
7. Shut off motor before leaving vehicle.

8. Operate vehicle from seat or platform only, not from a standing or walking position, unless the equipment is designed to operate in such a manner.
9. Operate vehicle in a safe manner at all times.
10. Do not suspend or swing load over any person.
11. Do not travel with load of empty boards exceeding height of lift truck mast.
12. Tilt forks forward, flush with floor or other surface and clear of aisles when lift truck is parked. Keep forks no fewer than four (4) inches nor more than six (6) inches above floor or other surface when lift truck is moving.

II. SAFETY RULES

1. General Safety Rules.

A. Smoking

1. Smoking presents a hazard at all times.
2. DO NOT allow smoking in cargo hatches.
3. DO NOT allow smoking in cargo terminals.
4. DO NOT allow smoking around flammable gas or liquid.
5. DO NOT allow smoking on tanker decks and in "No Smoking" areas.
6. DO NOT allow smoking in maintenance areas near fuel or battery stowage.

B. Personal Protective Equipment ("PPE"), Personal Flotation Devices ("PFD")

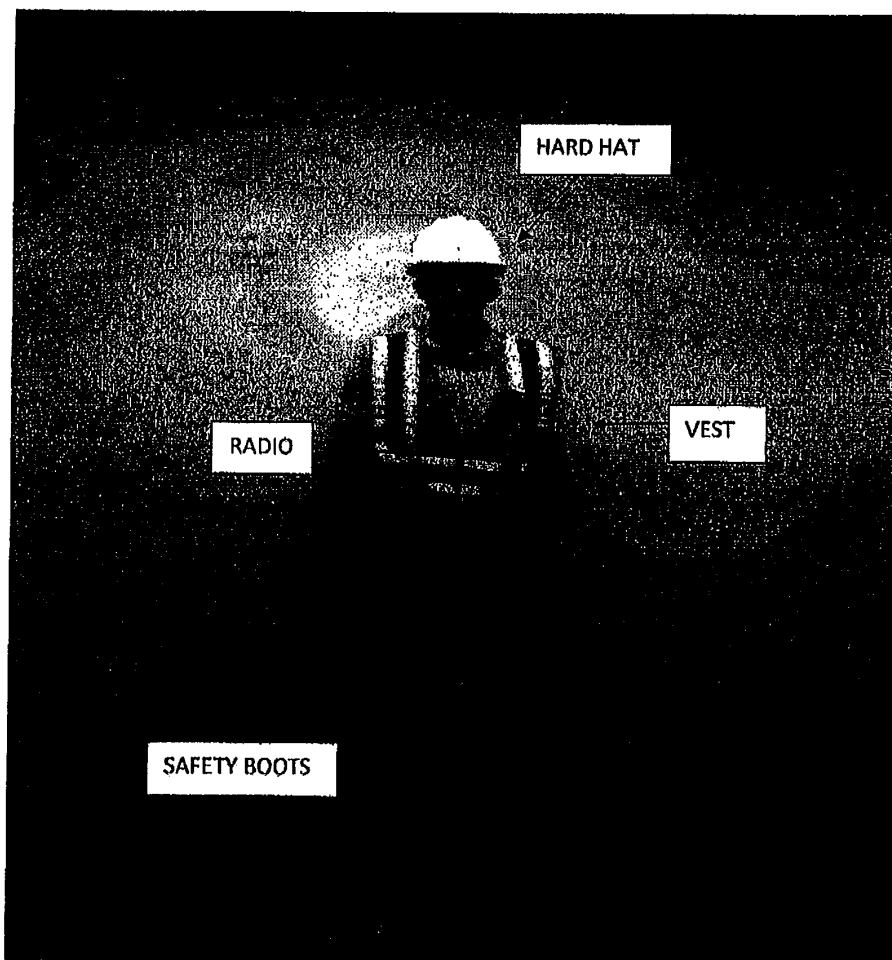
All personnel must wear Personal Protective Equipment ("PPE") in and on designated docks, terminals, and other areas where ship-related operations occur. Basic PPE items are: hard hat, high visibility reflective safety vest, short cuff gloves, safety shoes with non-skid soles, and approved eye and face protection devices. Clothes should be tight fitting. Workers, such as line handlers, engaged in work in which they might be pulled into the water, shall wear USCG-approved Personal Flotation Devices ("PFD").

C. Hard Hats

All personnel and visitors must wear hard hats in designated hard hat areas. The only areas that do not require hard hats are inside offices, rest rooms, and lunchrooms. Porters may wear "bump" hats in passenger baggage areas.

PPE Proper Attire for Superintendents:

- Hard Hat
- High Visibility Safety Vest
- Radio
- Safety Shoes
- No Headphones, No Cellphones, No Sneakers, No Shorts



D. Emergency Numbers

Each dock office shall have posted, in plain view, any emergency number(s) that might be called from that facility. These include but are not limited to: Port Miami

Office, Ambulance, Hospital, USCG, Police, Tugs and Pilot, Harbor Master, Oil Spill Control, and Fire Department.

E. Safety Basket

The Superintendent shall place one (1) Safety Basket alongside each vessel before personnel begin working. Each box shall contain the minimum requirement of one (1) Stokes basket stretcher with permanently attached lifting bridles and patient restraints. One (1) blanket or other suitable covering, one (1) 30" life-ring with 90' line attached, and one (1) ladder that will reach from the dock to low water must be available in the vicinity of the vessel being worked.

"DO NOT ALLOW CARGO GEAR IN THE SAFETY BASKET".

A weatherproof First Aid Kit and an Eller-ITO employee, holding a valid current First Aid Certificate must be close at hand in the terminal or on the dock.

F. Good Housekeeping

1. Good housekeeping practices must be maintained in ALL areas.
2. Oil spills and slippery work surfaces must be covered with sand, sawdust, or similar non-skid materials promptly after discovery and cleaned as soon as possible.
3. Dunnage, rubbish, old gear, and old pallets must be removed from the work areas regularly.
4. Nails, banding, and other materials protruding from cargo must be removed to prevent injury.
5. "Hazardous Labeled" cargo must be confined to ONE (1) area.

G. Fire-Fighting Equipment

The Superintendent must check all fire-fighting equipment in terminals and maintenance areas. Fire extinguishers that have been discharged must be replaced or recharged promptly.

H. Operations

All personnel involved in Eller-ITO operations must comply with the following Safety Rules:

1. Follow planned safe work practices at ALL times. Gear and equipment shall be used only for the intended purpose. All gear shall be inspected for damage; any unusable gear shall be removed and discarded.

2. Check before beginning work to make sure all personnel are wearing proper clothing, hard hats, gloves, and footwear.
3. Install grab lines or rails on sides of permanent structures when string piece or apron width is insufficient for safe footing.
4. Repair and recondition damaged or leaking cargo packaging. Set aside damaged cargo.
5. Take precautions to prevent tools, equipment, and cargo from falling on employees.
6. Do not throw blocks, tools, gear or dunnage from one deck or level to another.
7. Do not permit any person to enter an unlighted hold, hatch, or compartment.
8. Ascertain and adhere to manufacturer's rating for natural, synthetic, and wire rope, as well as synthetic web, wire rope slings, and have such ratings available for inspection.
9. Do not swing or suspend hoisted loads over any persons.
10. Do not ride cargo hooks, nets, pallets, or other gear.
11. Stay clear and out from under booms that are being raised or lowered. Raise or lower gear ONLY under proper supervision.
12. Do not stand in the path of a sling load being steadied or landed. Do not stand between the load and a nearby fixed object (e.g., bulwark), and always face the load. Stand clear when slings are pulled free from under loads.
13. Lower loads to shoulder height before longshoremen take hold for steadying, turning, or landing.
14. Do not stand in or near the bight of equipment, lines and container movement.
15. Do not stow cargo or material or place vehicles where they obstruct the work surface or line handling.
16. Stay in a safe place to handle loading or unloading rail cars with drafts of long, heavy lifts. Use tag lines whenever possible.
17. Permit ONLY AUTHORIZED AND QUALIFIED PERSONS to operate lifts trucks, tractors, and other powered equipment. DO NOT ALLOW RIDERS unless equipment provides for such accommodations.

18. Do not fill fuel tanks while equipment is running. Do not smoke during fueling.
19. Keep fire lanes and fire equipment clear at all times.
20. Use air under pressure only for the intended purpose -- not for horseplay, cleaning clothes, or other improper purposes.
21. Do not take short cuts and chances, such as crowding on gangways and ladders, jumping from ship to dock, or using tools improperly.
22. Make sure Busbys in line at the gantry are twenty (20) feet apart.

2. Shipboard Operation Safety Rules.

In addition to the Safety Duties and General Safety Rules, the following Safety Rules govern Eller-ITO Shipboard Operations:

1. Provide gangway with at least a twenty (20) inch wide walking surface in well-maintained, safe condition. Secure stanchions against dislodgment. Keep rails and lines taut at all times. Use duckboards if steps are not self-trimming. Rig gangway net properly. Provide any necessary supporting bridles at the upper edge and lower ends of the gangway, and keep them clear of passage areas.
2. Place at least one (1) safe and accessible ladder for each gang working in a hatch. When a ship's ladder is no longer accessible due to loading of cargo, provide a straight ladder of adequate strength and length to extend safely at least thirty-six (36) inches above the coaming. Secure the ladder against slipping and shifting. Jacob's ladders meeting OSHA requirements may be used only if conditions do not allow use of a straight ladder.
3. Guard open weather deck hatches that are not protected to a height of two (2) feet with taut lines or barricades at least three (3) feet high, except on the side on which cargo is being worked. Support or secure any portable stanchions or uprights used to prevent accidental dislodgement.
4. Rig beam and pontoon bridles properly with shackles and/ or hooks. Provide any needed tag lines.
5. Do not commence work until working areas have been made safe.
6. Make sure beams are in place when working 'tween decks.
7. Report immediately to ship's officers any missing, broken, split, or poorly fitted hatch covers that jeopardize the safety of personnel. Until such hatch covers are replaced or repaired, stop work in that area.

8. Rig and secure a safety net when two (2) gangs are working the same hatch on different levels.
9. Keep work area well lighted and ventilated.
10. Rig beam and pontoon bridles properly with shackles and/ or hooks. Provide tag lines when needed.
11. Stow and secure hatch covers properly on deck or on the dock away from operations. The Lander must prohibit pedestrian and vehicular movement when discharging the hatch cover to the ground.
12. Do not exceed the safe working load marked "utilized for lifting".
13. Use double slings on unstrapped dunnage.
14. Use proper gear to sling pallets.
15. Provide a safe walkway from the rail to the coaming for the signalman working cargo over a deck load.
16. Maintain safe forward and aft walkways over deck loads.
17. Mark and observe the thirty-six (36) inch rules around 'tween deck openings on all decks.
18. Do not raise or lower booms, except under the direction of the Superintendent, Header, or Flagman in charge of the hatch.
19. Remember that the Header must personally supervise the removal or replacement of hatch covers, strongbacks, and beams.
20. Handle hazardous materials in accordance with directives of the Department of Transportation, USCG, as well as federal, state, and local laws and regulations.
21. Maintain good housekeeping practices at all times.
22. Ensure workers maintain a safe distance from the edge of open hatches.

3. Cargo Operation Safety Rules.

In addition to the Safety Duties and General Safety Rules, the following Safety Rules govern all Eller-ITO Cargo Operations:

A. General

1. All workers must be trained, understand signs and instructions, and be familiar with signal code in use.
2. All walking and working areas must be well lighted.
3. Fixed ladders and means of access to equipment cabs must be built to standard and maintained in safe condition.
4. Portable ladders must be OSHA-approved and extend thirty-six (36) inches above upper landing surface.
5. Cones, lashings, bridge clamps, and other items may be lowered or dropped to ship's deck only when area is visibly clear of personnel.
6. Semi-tractors must be fitted with mirrors to provide operator visibility.
7. When workers are hoisted aloft, a safe platform, properly guarded against hazards of falling and moving machinery must be provided. Workers hoisted by lift truck to container or trailer top to release hooks or plugs must be in safe box, basket, or suitable equipment built for that purpose. Workers must not be lifted on blades or by pallet.
8. Mobile cargo-handling equipment must be fitted with rotating beacon or alarm to identify its movement and location.
9. Traffic patterns in container yards and cargo terminals must be pre-planned and adequately marked.
10. Cargo must not be suspended or hoisted over workers.
11. Lashing materials and equipment must be stowed to provide clear working areas and walkways.
12. Lashing material hoisted aloft must be placed in bins or otherwise secured against falling.
13. Effective means of communication among Superintendents, Headers, Flagmen, and other personnel must be maintained.

B. Equipment Operator

1. Know your equipment's rated capacity and the weight of each load. Do not pick up or move loads for which the equipment is not designed.
2. Be sure you have adequate room to maneuver.
3. Do not raise a container or pallet while you are moving. Carry each container or pallet high enough to clear all surfaces on which you are driving.
4. Be careful of sprinklers, electrical lines, overhead door clearances, and other obstructions.
5. Start slowly in first, avoid sudden starts and stops, and be alert to any persons who might be hit by turns or rear-end swings.
6. Make sure all four container corners are locked onto the spreader when you operate a Top Loader.
7. Make sure both air hoses are connected from the cab to the chassis when you operate a semi-tractor. Check to confirm that semi-tractor is positively locked to the chassis and that the fifth wheel is raised high enough for chassis landing gear to clear any obstacles on the road, ramp, or other surface.
8. Always be careful at intersections and blind corners. Obey all terminal and yard rules, speed limits, and posted signs.
9. Always travel at a safe distance from other vehicles.
10. Do not allow riders on your equipment.
11. Inspect equipment to ensure that mirrors, wipers, horn, seat belts, and brakes are in good operating condition.

C. Forklift Operator

1. Know the load capacity of the forklift.
2. Be sure you have adequate room to maneuver to pick up or deposit load.
3. Check visibility. If load blocks or hinders vision or if you are traveling down a ramp or incline, drive in reverse and look in the direction you are moving.
4. Position loads properly on forks for proper balance.

5. Keep the mast vertical or tilted back, never forward, during lifting, lowering, and carrying loads.
6. Check ramps used in trucks and cars for width, strength and capacity.

D. Lander and Top Man,

1. Keep work area clean and orderly.
2. Safely sling loads before hoisting and remove debris from loads.
3. Secure cargo-handling bridles, such as pallet board bridles, which are attached to hoisting gear while you are hoisting by shackles or some other positive means to prevent successive loads from falling from the cargo hook.
4. Steady choker slings with hand above the bight, not in it.
5. Steady bridles with flat of the hand. Step back as soon as load is steady, to avoid being caught when it is raised.
6. Always face the load. Stand either fore or aft, not abreast of the load. Stand clear of close spaces between draft and cargo, stanchions, and other objects.
7. Wait until the load reaches shoulder height before taking hold and steadying for landing. Keep hands and feet clear.
8. Do not attempt to stop swinging loads with your body. Have the flagman signal the winch man to set it down.
9. Stand clear of suspended loads.
10. Lift properly. Keep your back straight and lift with your legs. When you turn, shift your feet; do not twist your body.

E. Flagman

1. Follow hook to keep moving sling load in sight at all times, and warn all persons in danger of injury by cargo movement.
2. Know signal code in use and give clear signals to Derrick Driver or Crane Operator for hoisting, holding, lowering, and landing slings and other loads.
3. Make sure workers have finished hooking or unhooking loads and are clear before giving signals to hoist.

4. Make sure workers are warned away from danger spots on apron and deck during hoisting, holding, lowering and landing operations.
5. Correct improperly slung cargo before giving signals to hoist.
6. Warn workers steadying or landing loads not to stand between cargo and vessel, or if they are in hold or on deck, not to stand between the load and fixed objects.
7. Never signal for hoisting or lowering loads while anyone is climbing hatch ladder, or when cargo is being worked.
8. Never permit loads, containers, empty slings, or lifting frames to be held over the heads of personnel.
9. Maintain clear walkway from rail to coaming during operations.

D. Derrick Driver /Crane Operator

1. Always keep the Flagman in sight.
2. Wear proper protective equipment.
3. Be certain load is ready and all dunnage is cleared off the top of load before hoisting.
4. Avoid sudden stops and starts, which can increase stresses on rigging.
5. Keep hook as close as possible to junction where falls meet.
6. Keep loads as close as possible to the rail, deck, and coaming.
7. Avoid tight lining of even light drafts.
8. Ease loads down to prevent damage and accidents.

4. Container Operation Safety Rules

In addition to the Cargo Operation Safety Rules, the following Safety Rules govern all Eller-ITO Container Operations:

A. General

1. Weigh each container, which must be legibly and permanently marked in accordance with applicable regulations before and at the time of hoisting, and inspect for structural defects. Concerned parties must know the container weight and condition. Before lifting, determine whether a container is loaded or empty,

and clearly mark each empty container. Lift loaded intermodal containers twenty (20) feet or more in length vertically from the four corner fittings. Non-vertical lifts are allowed ONLY in accordance with requirements specified in 29 C.F.R. §1918.85(f)(1).

2. Provide a safe means of access and protect each worker on top of a container to perform necessary functions that use of positive container securing devices cannot eliminate, during handling by a gantry crane, from fall hazards by fall protection system meeting the requirements specified in 29 C.F.R. §1918.85(k).

B. Lander and Topman

1. Use only ladders that are properly secured from shifting or slipping.
2. Make sure portable or hinged catwalk has one or more railings, cannot move, and is at least twenty (20) inches wide.
3. Stand forward or aft of, not abreast of or under, container.
4. Keep feet and hands clear of areas where they could be crushed when you guide container into position.
5. Put any cones and lashings that you bring onto spreader into area where they cannot become tripping hazard.
6. Never stand or work outside spreader platform. When you use spreader platform, make sure ladder is handy in case of crane failure.
7. Always use right tools with right tensioners to lash containers.
8. Use two hands and firm grip on lever to apply or release tension.
9. Make sure all four containers corners are unlocked from chassis and semi-tractor before Crane Operator lowers spreader onto container and removes it.
10. Make sure hand lines or lanyards used to lock or unlock manual lifting spreader hang no lower than bottom of container and have no knots or loops in them.
11. Use properly secured ladders or personnel cages attached to forklift forks, if you must place hooks into or remove hooks from top corner casting of containers.

C. Flagman

1. Make sure workers have finished unlocking container from chassis and are clear before giving signals to hoist.

2. Require correction if container is not properly locked on all four sides to lifting frame or spreader before signaling for hoisting. Keep moving container in sight at all times and warn all persons in danger of injury.

D. Crane Operator

1. Check all signal indicator devices, if crane is so equipped, to confirm that locks are engaged before hoisting.
2. Check to confirm that all dunnage, fittings, and lashings are cleared off container top before hoisting.
3. Check to confirm that all flashing lights and audible warning devices used during travel are in good working order before moving.
4. Visually check clearance between ship's superstructure or gear and crane's boom before moving.
5. Always have Flagman clearly in sight. Make sure you understand Flagman's signals.
6. Keep load as close as possible to rail, deck, and coaming.
7. Don't load containers onto the dock, to prevent damages to the dock and to the container.

5. Roll On, Roll Off ("Ro-Ro") Operation Safety Rules

In addition to the Cargo Operation Safety Rules, the following Safety Rules govern all Eller-ITO Ro-Ro Operations:

A. General

1. Determine and adhere to the safe working load ("SWL") of each cargo elevator on vessel. Distribute loads evenly on the elevator platform.
2. Do not ride on vessel elevator platform if fall hazard exists. A fall hazard is within three (3) feet of edge of surface area, such as elevator platform.
3. Barricade decks that present fall hazards (*e.g.*, elevator openings).
4. Organize and maintain a system of traffic control at each ramp. Identify, mark, and barricade all hazardous routes that could be mistaken for normal drove on/drive off routes.
5. Mark and do not exceed capacity of Ro-Ro ramps.

6. Make sure that vessel stern or side ramp also used for pedestrian access has adequate physical separation between pedestrian and vehicular routes. When ramp design prevents this, use precautions such as barricades to prevent simultaneous use.
7. Make sure open hatches/elevator platforms are protected with rails or some other means.
8. Make sure vessel's stern or side loading ramp has physical separation for pedestrian traffic.

B. Vehicle Operator

Before Starting Work:

1. Check and confirm brake pedal and parking brake are functioning properly.
2. Check and confirm that all air lines are connected and test trailer air brakes.
3. Check and confirm steering does not feel loose.
4. Check and confirm hoses are connected from cab to chassis when you are driving containers or trailers on board.
5. Make sure rear and side view mirrors are positioned to see clearly.

During Operation:

1. Drive at sensible speed (no more than 15 mph).
2. Stop at all intersections and blind corners.
3. Travel inclined ramp in low gear with no gear change before clearing the ramp.
4. Use rear and side view mirrors to watch for other vehicles and workers.
5. Watch flagman's signals during backing and make sure all Lashers are clear.

C. Lasher

Before Starting Work:

1. Wear proper protective equipment to give extra margin of safety: Hard hat, safety shoes, reflective safety vest, and gloves are basics.
2. Have portable lights handy for work in poorly illuminated deck spaces.

3. Think about your surroundings: check for pad eyes on deck, low overheads, loose chains, and loose lashings.

During Operation:

1. Signal another Lasher to warn the Vehicle Operator that you are going under vehicle to lash or unlash.
2. Be alert to vehicles moving in areas where you are lashing. Do not stand where you can be pinned against a vehicle or other fixed object.
3. Clean any spills as they occur to prevent workers from slipping and vehicles from skidding.
4. Place loose lashings and tools away from walkways and work areas.
5. Do not attempt to connect lashing to trailer until it is in position and secured.

6. Work Aloft Safety Rules

When it is impractical or impossible to protect personnel working aloft by safety nets, safety lines, safety belts with lanyards, or other positive means, Superintendents and Headers shall reduce risk, in so far as possible, by taking the following precautions:

1. Advise workers of special hazards and required precautions prior to working aloft.
2. Do not allow any worker to go aloft or on top of cargo until the cargo has been visually inspected and found: (a) free of visible damage and structural defects, as well as grease and other slippery substances; and (b) properly stowed.
3. Do not allow any worker to go aloft when visible or known evidence of excessive vessel list, excessive wind velocity, or other dangerous condition exists.
4. Make sure each worker wears PPE: Hard hat, reflective safety vest, work gloves, and safety shoes with non-skid soles.
5. Send aloft only the number of workers needed to perform the required work.
6. Provide safe means of access aloft by approved ladders (tied-off or hand-held), stairs, safety baskets, platform cages on spreader bars, Jacob ladders, and scaffolds.
7. Require all personnel to adhere to the following safe work practices:
 - a. Horseplay aloft is prohibited.
 - b. Alcohol and drugs are prohibited.

- c. Jumping across voids is prohibited.
 - d. Loose objects must be kept at minimum and at least three (3) feet from edges.
 - e. Workers must approach corners diagonally and unprotected edges from as near ninety (90) degrees as possible.
 - f. Workers must avoid unnecessary walking, working, standing, and sitting near or on unprotected edges.
 - g. Standing under suspended loads is prohibited.
 - h. Riding loads is prohibited.
 - i. One person should be designated as Flagman.
 - j. Only the safe number of personnel will be hoisted in an aerial basket.
8. Superintendents shall direct operations to ensure that precautions are maintained. Superintendents shall advise workers of special hazards and required precautions prior to working aloft.

7. Cargo Gear Register Examination Safety Rules

If a vessel's cargo handling gear is to be used during stevedoring operations, the vessel's "Cargo Gear Register" and the gear itself must be examined prior to commencing work. If the cargo handling gear appears in good order and the vessel produces a valid "Cargo Gear Register", supported by current certification in accordance with the schedules listed below, the vessel/s cargo handling gear may be used. See generally 29 C.F.R. §§ 1918.61-1918.69 & Appendices I-IV; 29 C.F.R. §§ 1919.1, 1919.12-1919.19. If any of the required documentation has expired, the vessel's cargo handling gear may not be used, unless the vessel meets alternative grace period standards of the nation of registry or 29 C.F.R. § 1919.18 applies.

American-flag vessels holding valid USCG Certificates of Inspection and foreign-flag vessels certificated under the requirements of a foreign nation or by persons acceptable for certification purposes by a foreign nation are not subject to the gear certification requirements specified in 29 C.F.R. §§ 1919.12-1919.19. OSHA is the primary source of information on differences between United States and foreign nation requirements. Vessels holding valid "United States Coast Guard Certificates of Inspection" are deemed to meet the gear certification requirements.

AMERICAN FLAG VESSELS	
Vessels holding U.S. Coast Guard Certificate of Inspection	
<u>Type Vessel- Cargo Handling Gear</u>	<u>Required Examination</u>
Mast, stays, booms, winches, elevators, cranes, conveyors, standing gear, and running gear.	<ol style="list-style-type: none"> 1. Initial proof load test (SWL). 2. Thorough annual examination. 3. Proof load test every 5 years.
<p>Note: Refer to OSHA gear certification regulation 29 C.F.R. § 1919.12-1919.19 for American flag vessels not holding a valid U.S. Coast Guard Certificate of Inspection.</p>	
FOREIGN FLAG VESSELS	
Countries signatory to International Labor Organization (ILO) Convention 152	
<u>Type Vessel- Cargo Handling Gear</u>	<u>Required Examination</u>
Derricks, winches, cranes or hoists and accessory gear.	<ol style="list-style-type: none"> 1. Initial proof load test (SWL). 2. Thorough annual examination. 3. Proof load test every 5 years.
<p>Note: ILO Convention 32 vessel cargo handling gear requirements are not recognized by OSHA for proof load tests and examinations.</p>	

8. Cruise Operation Safety Rules.

Cruise Vessel Operations offer unique challenges that differ from cargo operations. The added element of passenger safety is factored into the equation. All workers must conform to the best practices in the industry with oversight through the Eller-ITO safety program. For example, Porters, who are responsible for handling passenger baggage for debarkation and embarkation, must attend periodic training and customer service classes. In addition to the Safety Duties, General Safety Rules, and Shipboard Operation Safety Rules, all personnel involved in cruise operations must understand and comply with the following Safety Rules:

A. Superintendent and Header

1. Pre-board each vessel and conduct a visual inspection, searching for unsafe conditions. Promptly advise the Captain regarding any safety concerns.
2. Place a Safety Basket at each vessel.
3. Monitor adherence to maritime laws and report incidents immediately to the Captain and the Safety Director.

4. Give a gangway safety talk prior to the start of work activities: Review personal protection equipment, work assignment and duties for each team member, proper use of equipment and tools, and other safety concerns. Answer any questions.
5. Do not enter unauthorized areas.
6. Make sure all Vehicle Operators and Equipment Operators are properly certified.

B. Worker

1. Use proper lifting techniques in handling luggage: Lift with the legs, not the back
2. Wear PPE *e.g.*, vest, hard hat, work shoes, gloves.
3. Wear any necessary PFD, including life safety vests, during vessel mooring and unmooring. Be careful not to become entangled in the mooring lines.
4. Practice Good Housekeeping, a basic requirement for a safe operation. Notify a Superintendent or Header and clean any spills as they occur to prevent slipping and falling.
5. Be careful not to become entangled in moving luggage at a carousel or in any part of the carousel. Also be careful when moving luggage baskets.
6. Load and unload cargo and perishable goods in a safe manner.

9. Dock, Warehouse and Terminal Safety Rules.

In addition to the Safety Duties and General Safety Rules, the following Safety Rules govern all Eller-ITO Dock, Warehouse, and Terminal Operations:

1. Make cleanliness and good housekeeping Number 1 priorities.
2. Keep docks, piers, wharves, and terminals in safe condition. Maintain all surfacing and paving in good repair.
3. Keep work areas well lighted and ventilated.
4. Make sure all electrical wire and tools are grounded or are double insulated.
5. Have all gas and diesel tanks marked with appropriate hazardous labels
6. Separate hazardous and non-hazardous cargo.
7. Secure ramps to prevent slipping, and place them in such manner to prevent rocking.

8. Keep all ramps at least six (6) inches from platform.
9. Make sure ramps are of such width that they nearly fill the door.
10. Store ramps in a place so that no hazard is created.
11. Arrange lights on aprons, ships, and warehouses so that they do not shine into the eyes of Vehicle Operators, Equipment Operators, Headers, Flagman, and signal personnel.
12. Stack materials so that they will not collapse when they are part of a stack or adjoining stacks are removed.
13. Shield all electric and gas welding operations to prevent eye injuries to workers in that vicinity.
14. Secure or block stowed and piled cargo on piers or in yards or warehouses that is likely to shift.
15. Stack removed dunnage in non-hazardous areas.
16. Support, secure, and chock truck trailers and containers on chassis being worked by forklift against collapse or movement.
17. Block railroad cars being worked against movement.
18. Make sure MSDS sheets are maintained.

10. Maintenance & Repair Shop Safety Rules.

In addition to the Safety Duties and General Safety Rules, the following Safety Rules govern all Eller-ITO Maintenance and Repair Shop Operations:

1. Maintain good housekeeping and cleanliness.
2. Post and enforce "No Smoking Signs."
3. Post "High Voltage" signs in pertinent places.
4. Have sufficient and adequate working fire extinguishers.
5. Maintain first aid station, eye wash supplies, and shower area,
6. Label fuel tanks with product names and warnings.
7. Ground all electric cords.
8. Apply lockout tag rules to equipment under repair.

9. Make sure grinders have allowable spacing and guards in place to prevent injury.
10. Use cage for changing multi-rim tires.
11. Make sure all guards are in place on power equipment.
12. Make sure all Materials Safety Data Sheets ("MSDS") covering products in shop are available.
13. Make sure all employees have a valid and current Haz Mat certification.
14. Stow cylinders erect, separated and tied back to prevent movement.
15. Eye protection is required at all times.
16. Make sure all equipment has been serviced and is in good order prior to operation.
17. Make sure each Vehicle Operator signs out for equipment.
18. Keep complete and accurate records of all maintenance and repair work.
19. Make sure MSDS sheets are maintained.

11. Hazardous Cargo Safety Rules.

OSHA regulations require an employer to provide "employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious harm to their employees. Current regulations require employers to identify all "Hazardous Materials" in the workplace by chemical or common name, to prepare (or obtain) suitable data for each substance, and to educate their employees on the contents of such data. (See Eller-ITO Stevedoring Company's Hazard Communication Program Manual for updated information regarding handling hazardous cargo).

During a cargo terminal/water movement, many different people -- office workers, truck drivers, dock personnel, and ship gangs -- handle hazardous materials shipments and shipping papers. Training must cover three (3) most important points:

1. Identification of Hazardous Shipments-Labels, Materials Safety Data Sheets (MSDS) or Safety Data Sheets (SDS).
2. Routine Handling Procedures.
3. Procedures to follow in case of emergency.

Few publications cover all of these points. A copy of 49 C.F.R. "Transportation" is available in Eller-ITO's Operations Office. Also available in Eller-ITO's Operations Office and highly recommended are: "Hazardous Material Emergency Response Guidebook", DOT P 5800, and "Handling Hazardous Materials". Both are excellent, plain-worded publications, which should be used in all terminal and stevedoring operations. To ensure proper handling of hazardous materials, Eller-ITO requirements include:

1. Information sources to determine the hazards and preventive measures are, and must remain, available.
2. The Superintendent on the scene must:
 - a. Identify hazardous cargoes to be handled and general nature of the hazards before operations begin.
 - b. Inform assigned personnel of the general nature of the hazard.
 - c. Inform personnel of the importance of preventing damage to this type of cargo.
 - d. Instruct assigned personnel to notify him or her of any leaks or spills.
3. If spills or leaks of hazardous cargo occur, workers must be removed until Eller-ITO has had the hazard removed from the work area.
4. Procedures for reporting hazardous materials incidents to the USCG, OSHA, EPA, and Fire Department are established. Having emergency numbers available in, or in close proximity to, designated work areas is essential.

EMERGENCY PHONE NUMBERS:

NAT'L. RESPONSE CENTER	202-267-2675	CHEMTREC	800-424-9300
COAST GUARD	305-535-8772	FIRE DEPARTMENT	911

In the event of a major hazardous condition that requires professional response, the Safety Director will seek a qualified company to respond, and completely restore conditions to meet all agency regulations:

Dec. 1, 2013 Training Requirements for the Revised Hazard Communication Standard

To align with the United Nations' Global Harmonized System of Classification and Labeling of Chemicals (GHS), OSHA published its revised Hazard Communication Standard (HCS) in the Federal Register in March 2012 (77 FR 17574). Two significant

changes in the revised standard require the use of new labeling elements and as standardized format for Safety Data Sheets (SDS), presently known as Material Safety Data Sheets (MSDS). The new label elements and SDS requirements will improve worker understanding of the hazards associated with chemicals in the workplace. To help companies comply with the revised standard, OSHA is phasing in the specific requirements over several years (Dec. 1, 2013 to June 1, 2016).

12. Office Safety Rules.

1. Know where fire extinguishers are located.
 - a. Fire hoses and water extinguishers should only be used on trash or carpet fires.
 - b. Carbon Dioxide (CO₂) extinguishers should be available and used for computers, copiers, and other machinery fires. Use of any other extinguisher would be dangerous and would ruin the machines.
 - c. Dry Chemical extinguishers should be available and used in the kitchen/lunch room area and for fires involving equipment such as stove, coffee maker, etc.
2. Know where emergency numbers are posted for police, fire department, ambulance, and other services.
3. Know where emergency lights are located.
4. Know where the First Aid Kit is located.
5. Know where office fire alarms are located.
6. Know where emergency exits are located in offices and building.
7. Know where small emergency tool kit is located.
8. Keep flammable liquids (toners, cleaners, etc.) stowed in a safe area.
9. Make sure electric plugs for office equipment are grounded.
10. Do not allow extension cords and wires that are not in conduit under carpets.
11. Remove trip hazards from office area.
12. Caution all employees to close file cabinets when not in use. Left open, these become good knee knockers, head bangers, or trip hazards.
13. If office has two-way swinging door, have an eye-level window inserted to prevent accidents.

14. Make sure office chairs have good casters and that reclining backrest is working properly.
15. Circulate and post plans for emergencies such as fire, hurricanes, and evacuations.
16. Remind employees that, in lifting or moving office files or equipment, they should ask for help and never attempt to act alone. Be sure employees know proper lifting technique: Lift with legs, not back.

III. INJURY & ACCIDENT INVESTIGATIONS, REPORTS

1. Injury Investigation

Employees must report personal injuries, including those in which an injured person has declined medical attention, as soon as possible but no later than the end of the day during which the injury occurred. An injured employee who is able must complete a statement of accident/injury no later than the end of the day during which the injury occurred. Both the injured employee and his or her Supervisor shall sign the form. If the injured employee refuses to complete or sign the form, the Supervisor should note the fact on the report, sign it, and forward it to the Safety Director.

Any known witness must complete and sign a statement of accident/injury as soon as possible after the injury occurred. A witness who was in the area but did not observe the accident should complete a statement that he or she did not observe the accident. If a witness refuses to complete or sign a statement, the Supervisor should note that fact on the report sent to the Safety Director.

The Safety Director shall conduct a complete investigation of all reported personal injuries. If the employee reporting the injury is available, he or she should participate in the investigation. At the conclusion of the investigation, the Safety Director shall deliver a written report to the Senior Vice President or his designee. The investigative report shall remain confidential.

2. Drug, Alcohol Testing

If an injured employee's Supervisor or the Safety Director has a reasonable belief, based on specific articulated facts, that an employee's acts or omissions contributed to the accident or injury, the Superintendent or Safety Director shall inform the Senior Vice President. After reviewing the available information, the Senior Vice President shall decide whether reasonable cause exists under Company policy for drug and/or alcohol testing of such employee. If the determination is made to have an employee tested, the

Safety Director or designated Superintendent shall give the employee a "Drug and Alcohol Test" form, and the employee must report for testing within twenty-four (24) hours.

3. Follow-Up

The Safety Director must maintain a file copy of his or her report and must monitor the employee's post-injury status. Before seeking non-emergency medical attention for a work-related injury, an off-duty employee must notify the Safety Director. After consultation, the Safety Director may decide to make a follow-up appointment with a doctor designated by the Company.

4. Lost Time Recap ("LTI")

The Safety Director shall maintain written records for each employee who has lost time, and until he or she returns to regular work status.

5. Post-Accident Guidelines for Management.

The following points outline Eller-ITO's policy and key expectations for Managers and Superintendent when an injury occurs in their areas of responsibility:

- Offer injured employee prompt and appropriate medical attention.
- Notify appropriate persons of the incident.
- Treat injured employee with respect and dignity throughout the investigation process.
- Perform thorough accident investigation, identify root causes, and implement both short and long term corrective actions.
- Document and deliver accident investigation and findings to Safety Director.
- Express concern and support for injured employee through personnel contacts and telephone follow-ups.
- Follow up when employee returns to work through personal safety contacts and auditing.
- Inform injured employee as to efforts to prevent recurrence of similar injuries.

IV. EMERGENCY ACTION PLANS

1. Employees at Eller-ITO Offices

In the event of a sudden emergency situation, such as fire, explosion, earthquake, terrorist act, tornado, sabotage, or work place violence, in the Eller-ITO office,

supervisory personnel shall immediately alert all office workers, by verbal communication, and assist in a safe and orderly evacuation. Shouting "EMERGENCY! EMERGENCY!" will activate this plan. After being alerted of the emergency situation, office workers shall adhere to the following procedures:

1. Proceed to a pre-determined assembly area. The Office Manager or another designated person shall account for all employees and others in the office by use of time sheets, employee lists, or some other accurate method.
2. Provide Emergency First Aid to injured workers.
3. Contact 911 and report the type of emergency situation by the Office Manager or other designated person. Also inform the 911 operator about persons who are injured or missing or need rescue.
4. Attempt rescue only if the rescue can be performed without placing the rescuer at risk. Otherwise, rescue attempts shall be performed by trained emergency response personnel dispatched to the scene by the 911 operator.

Prior to implementing this emergency plan, all Eller-ITO supervisory personnel shall receive the necessary training to carry out their duties properly. The Office Manager and other designated persons shall review the emergency action plan with all office workers covered by the plan, when training classes are held, when assigned duties are changed, and when the plan is changed. A copy of this written plan is available for review in the Eller-ITO Safety Director's office.

OFFICE WORK LOCATION

DESIGNATED ASSEMBLY AREA

**Eller-ITO Office – Port Miami
1007 N America Way #501
Miami, FL 33132**

Parking Lot – South End

**Eller-ITO Office – Port Everglades
2550 Eisenhower Blvd Suite # 2
Fort Lauderdale, FL 33313**

Parking Lot -South Side

2. Employees Aboard Vessels

In the event of a sudden emergency situation, such as fire, explosion, earthquake, terrorist act, tornado, sabotage, work place violence, or vessel collision, Eller-ITO supervisory personnel immediately shall alert all workers of the emergency situation, by verbal communication, and assist in a safe and orderly evacuation. Shouting

“EMERGENCY! EMERGENCY!” will activate this plan. After being alerted of the emergency situation, shipboard workers shall adhere to the following procedures:

1. Immediately disembark the vessel by using the vessel gangway. If access to the vessel’s gangway is blocked or the gangway is unsafe, portable ladders shall be provided and used. Gantry cranes may remove those on container tops.
2. Proceed to a pre-determined assembly area. The Superintendent in charge of the operation, or another designated person, shall account for all workers by use of time sheets, gang lists, or some other accurate method.
3. Provide Emergency First Aid to injured workers if needed.
4. Contact 911 and report the type of emergency situation by the Superintendent or another designated person. Also inform the 911 operator about persons who are injured or missing or need rescue.
5. Attempt rescue only if the rescue can be performed without placing the rescuer at risk. Otherwise, rescue attempts shall be performed by trained emergency response personnel dispatched to the scene by the 911 operator.

Prior to implementing this emergency plan, all Eller-ITO personnel shall receive the necessary training to carry out their duties properly. Superintendents and other designated persons shall review the emergency action plan with all workers covered by the plan, when training classes are held, when assigned duties are changed, and when the plan is changed. A copy of this written plan is available for review in the Eller-ITO Safety Director’s office.

VESSEL WORK LOCATION

DESIGNATED ASSEMBLY AREA

Lummus Island	POMTOC Yard
Berths 154-156	Entrance Banana Yard
Berths 162-174	Entrance Seaboard Yard Gate 5
Passenger Terminal H	Baggage Area- West Side
Port Everglades Passenger Terminal 18	Parking Lot – North Side
Port Everglades Passenger Terminal 25 & 29	Parking Lot – South Side

3. Employees at Marine Terminals

In the event of a sudden emergency situation, such as fire, explosion, earthquake, terrorist act, tornado, sabotage, work place violence, or vessel collision, Eller-ITO supervisory personnel immediately shall alert all terminal workers of the emergency situation, by verbal communication, and lend assistance to assure a safe and orderly

evacuation. Shouting "EMERGENCY! EMERGENCY!" will activate this plan. After being alerted of the emergency situation, terminal workers shall adhere to the following procedures:

1. Proceed to a pre-determined assembly area. The Superintendent, or another designated person, shall account for all workers by use of time sheets, employee lists, or some other accurate method.
2. Provide Emergency First Aid to injured workers if needed.
3. The Superintendent will contact 911 and report the type of emergency situation. Also inform the 911 operator about persons who are injured or missing or need rescue.
4. Attempt rescue only if the rescue can be performed without placing the rescuer at risk. Otherwise, rescue attempts shall be performed by trained emergency response personnel dispatched to the scene by the 911 operator.

Prior to implementing this emergency plan, all Company personnel shall receive the necessary training to carry out their duties properly. Superintendents and other designated persons shall review the emergency action plan with all workers covered by the plan, when training classes are held, when assigned duties are changed, and when the plan is changed. A copy of this written plan is available for review in the Eller-ITO Safety Director's office.

TERMINAL WORK LOCATION

**Warehouse "Shed B"
Maintenance Shop**

DESIGNATED ASSEMBLY AREA

**Parking Lot South Side
Parking Lot North Side**

V. APPENDIX

Checklists

- ✓ **Break Bulk/Container Vessel Safety Checklist**
- ✓ **Ro-Ro Vessel Safety Checklist**
- ✓ **Cruise Vessel Safety Checklist**
- ✓ **Warehouse Safety Checklist**
- ✓ **Maintenance and Repair Shop Safety Checklist**
- ✓ **Vehicle Safety Checklist**
- ✓ **Office Safety Checklist**

INSTRUCTIONS:

- a. Check this list and have deficiencies corrected immediately.
- b. Report any difficulty or problem to your Superintendent, Supervisor, or the Safety Director.

BREAK-BULK/CONTAINER VESSEL SAFETY CHECKLIST

PORT: _____ M/V _____ DATE: _____ YES NO

1. Are all workers wearing hard hats, safety shoes, and high visibility reflective vests? X _____
2. Is complete Safety Basket shipside? X _____
3. Does gangway conform to OSHA regulations? X _____
4. Is there a safety net, and has it been deployed? _____
5. Are working areas adequately lighted? X _____
6. Does vessel have a valid gear certificate? _____
7. If shore crane is used:
 - a. Is crane certified? _____
 - b. Is crane swing radius guarded? _____
 - c. Does Crane Operator have valid certificate? _____
8. Do all Equipment Operators have valid certificates? _____
9. Is all equipment (e.g., mules, lift trucks) in good working condition? _____
10. Are decks clear of debris, oil, and other hazards? _____
11. Are walkways clear of obstructions and slip, trip, and fall hazards? _____
12. Are beams and dunnage stacked? _____
13. Are hatches secured and rolling hatch covers secured in place? _____
14. Are actual weights of cargo and containers plainly marked or clearly shown on loading guide or pre-stow plan? _____
15. Is one safe ladder accessible for each gang working in hatch? _____
16. If persons are working on two levels or next to an eight foot or more drop-off, is vertical safety net rigged? _____
17. Are carbon monoxide precautions being taken? _____
 - a. Is ventilation on? _____
 - b. Have tests for carbon monoxide been completed? _____

- 18. Are persons working deck-loaded containers trained to work aloft? _____
- 19. Do persons working deck-loaded containers have fall protection gear? _____
- 20. Are ladders properly secured from shifting or slipping? _____
- 21. Are there adequate guards around elevator openings to prevent falling? _____
- 22. Is maximum weight load for each elevator posted and observed? _____
- 23. Are workers lashing/unlashing containers staying clear of containers being hoisted, lowered, or moving into or out of stow? _____
- 24. Is cargo loaded, discharged, or secured to prevent sliding loads? _____
- 25. Have instructions prohibiting riders on equipment that is not built to carry extra persons been given? _____
- 26. Are gear, spreaders, tag lines, pallets, and wire slings in good condition? _____
- 27. Are tractor-trailers in line at gantry twenty (20) feet apart? _____

RO-RO VESSEL SAFETY CHECKLIST

PORT: _____ M/V: _____ DATE : _____ YES NO

1. Are all workers wearing hard hats, safety shoes, and high visibility reflective vests? _____
2. Is complete Safety Basket shipside? _____
3. Does gangway conform to OSHA regulations (e.g., pedestrian walkway)? _____
4. Is there a safety net, and has it been deployed? _____
5. Are working areas adequately lighted? _____
6. Does vessel have a valid gear certificate? _____
7. If shore crane is used:
 - a. Is crane certified? _____
 - b. Is crane swing radius guarded? _____
 - c. Does crane operator have valid certificate? _____
8. Do all Equipment Operators have valid certificates? _____
9. Is equipment (e.g., mules, lift trucks) in good working condition? _____
10. Are decks clear of debris and oil? _____
11. Are walkways clear of obstructions and slip, trip, and fall hazards? _____
12. Are beams and dunnage stacked? _____
13. Are hatches secured and rolling hatch covers secured in place? _____
14. Are actual weights of cargo and trailers plainly marked or clearly shown on loading guide or pre-stow plan? _____
15. Is one safe ladder accessible for each gang working in hatch? _____
16. If persons are working on two levels or next to an eight foot or more drop-off, is vertical safety net rigged? _____
17. Are carbon monoxide precautions being taken?
 - a. Is ventilation on? _____
 - b. Have tests for carbon monoxide been completed? _____

- 18. Have instructions prohibiting riders on equipment that is not built to carry extra persons been given? _____
- 19. Are gear, spreaders, tag lines, pallets, and wire slings in good condition? _____
- 20. Does vessel's stern or side loading ramp have physical separation for pedestrian traffic? _____
- 21. Is each Ro-Ro ramp plainly marked with its load capacity? _____
- 22. Are drums of gas, diesel, and compressed gas cylinders clear of tractor-trailer routes? _____
- 23. Are Vehicle Operators and Strikers hooking up both air lines from tractor (mule) to trailer so brakes are on both units? _____
- 24. Are workers riding elevator to weather deck or lower hold? (Prohibited if fall hazard exists [3 feet of the edge]) _____
- 25. Are adequate guards around elevator openings to prevent falling? _____
- 26. Is maximum weight load for each elevator posted and observed? _____
- 27. Are workers lashing / unlashng trailers staying clear of trailers being hoisted, lowered, or moving into or out of stow? _____
- 28. Are actual weights of cargo and trailers plainly marked or clearly shown on loading guide or pre-stow plan? _____
- 29. Is cargo loaded, discharged, or secured to prevent sliding loads? _____
- 30. Are flat bed and lowboy trailers marked with their cargo capacities and not being overloaded? _____

CRUISE VESSEL SAFETY CHECKLIST

PORT: _____ M/V: _____ DATE: _____ YES NO

1. Are all workers wearing hard hats, and safety shoes, and high visibility reflective vests? _____
2. Are Porters wearing proper attire? _____
3. Is complete Safety Basket shipside? _____
4. Does gangway conform to OSHA regulations (e.g., pedestrian walkway)? _____
5. Is there a safety net, and has it been deployed? _____
6. Are working areas adequately lighted? _____
7. Does vessel have a valid gear certificate? _____
8. If crane is used:
 - a. Is crane certified? _____
 - b. Is crane swing radius guarded? _____
 - c. Does Crane Operator have valid certificate? _____
9. Do all Equipment Operators have valid certificates? _____
10. Are all tractors and other powered equipment in good condition? _____
11. Are luggage racks and hand trucks in good condition? _____
12. Are decks, floors, and conveyor belt areas clean and clear? _____
13. Is one safe ladder accessible for each gang working in hatch? _____
14. If persons are working on two levels or next to an eight foot or more drop-off, is vertical safety net rigged? _____
15. Are carbon monoxide precautions being taken? _____
 - a. Is ventilation on? _____
 - b. Have tests for carbon monoxide been completed? _____
16. Have instructions prohibiting riders on equipment that is not built to carry extra persons been given? _____

- 17. Are gear, spreaders, tag lines, pallets, and wire slings
in good condition?
- 18. Are vehicles parked in authorized areas?
- 19. Have all workers been instructed to keep hands out of
X-ray machine and screening areas?

WAREHOUSE SAFETY CHECKLIST

PORT: _____ LOCATION: _____ DATE: _____

	YES	NO
1. Are approaches and aisles clean and clear?	_____	_____
2. Are Location Signs posted?	_____	_____
3. Are First Aid Signs posted?	_____	_____
4. Are Exit Signs posted?	_____	_____
5. Are Fire Station Signs posted?	_____	_____
6. Are OSHA Regulation Signs posted?	_____	_____
7. Is illumination adequate?	_____	_____
8. Is ventilation adequate?	_____	_____
9. Is Condition of Floors proper?	_____	_____
10. Is Condition of Doors proper?	_____	_____
11. Are Fire Stations clear?	_____	_____
12. Are Portable Fire Extinguishers checked and dated?	_____	_____
13. Are First Aid Supplies adequate?	_____	_____
14. Are Toilets & Washrooms clean and adequate?	_____	_____
15. Are Electric Wires properly grounded?	_____	_____
16. Are Trucks chocked and stands in place?	_____	_____
17. Are Forklift Fire Extinguishers in working condition?	_____	_____
18. A) Are Forklift Overhead Guards in place?	_____	_____
B) Are Forklift brakes, horns, and signals working properly?	_____	_____
19. Are Pallets in good condition?	_____	_____
20. Is Cargo stacked properly?	_____	_____
21. Is Hazardous (Dangerous) Cargo separated properly?	_____	_____
22. Is Cargo labeled correctly?	_____	_____

- 23. Is General Housekeeping complete? _____
- 24. Have Shoring Material Nails been removed or bent over? _____
- 25. Are Safety Data Sheets maintained? _____

INSTRUCTIONS:

- c. Check this list and have deficiencies corrected immediately.
- d. Report any difficulty or problem to your Supervisor.
- e. Use "REMARKS" space for personal comments.

REMARKS:

MAINTENANCE AND REPAIR SHOP SAFETY CHECKLIST

PORT: _____	LOCATION: _____	DATE: _____	YES	NO
1. Fuel tanks are properly labeled with product name and warnings?			_____	_____
2. Are the eye wash stations and shower areas properly maintained?			_____	_____
3. Are first aid boxes stocked and its location signs posted?			_____	_____
4. Are "No Smoking" and other "Hazard" signs posted and enforced?			_____	_____
5. Are fire extinguishers posted and in good working condition?			_____	_____
6. Are good housekeeping and cleanliness maintained in all areas?			_____	_____
7. Are Lock-Out/Tag Out tags applied to equipment under repair?			_____	_____
8. Do all employees have valid and current Haz Mat and PTT cards?			_____	_____
9. Are guards and shields in place on gas and powered equipment?			_____	_____
10. Use cage when changing multi rim tires. Are procedures posted?			_____	_____
11. Are electric cords and connections grounded?			_____	_____
12. Are work areas clear of grease and other slip, trip, & fall hazards?			_____	_____
13. Are SDS sheets available for all products used at the shop?			_____	_____
14. Cylinders stowed erect, separated, and tied to prevent movement?			_____	_____
15. Are records completed for all equipment and repair work done?			_____	_____
16. Are chemicals and hazardous materials disposed in proper manner?			_____	_____
17. Drivers must sign out the equipment. Are records maintained?			_____	_____
18. Are all workers wearing proper PPE?			_____	_____

VEHICLE AND EQUIPMENT SAFETY CHECKLIST

PORT: _____ M/V: _____ DATE : _____ YES NO

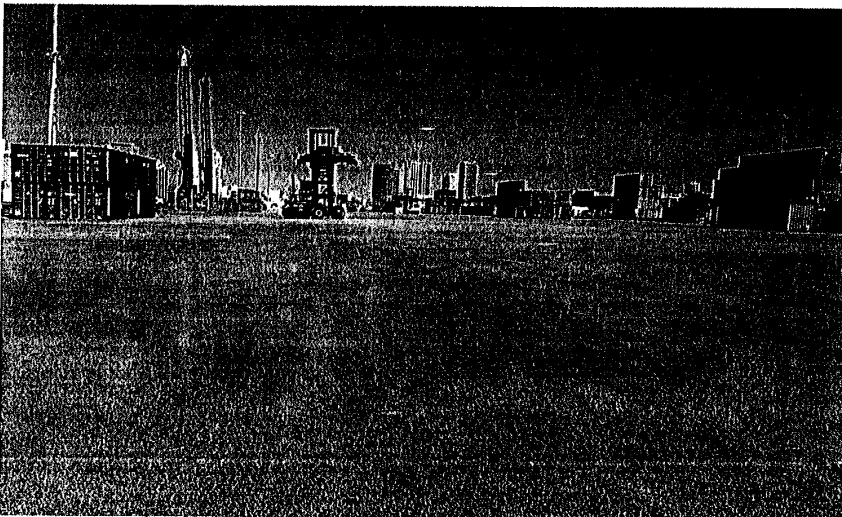
1. Are all workers wearing hard hats, safety shoes,
and high visibility reflective vests? _____
2. Is a complete Safety Basket shipside? _____
3. Are working areas adequately lighted? _____
4. Do all Vehicle and Equipment Operators have valid certificates? _____
5. Has each Vehicle and Equipment Operator done a pre-operation
inspection? _____
6. Are all tractors and other powered equipment in good condition? _____
7. Are mirrors, wipers, horn, and seat belts in good condition? _____
8. Are windows, headlights, tires, and brakes in good condition? _____
9. Is the backup alarm working? _____
10. Have instructions prohibiting riders on equipment that is
not built to carry extra persons been given? _____
11. Are "NO RIDERS ALLOWED" signs posted where applicable? _____

OFFICE SAFETY CHECKLIST

PORT: _____ LOCATION: _____ DATE: _____ YES NO

1. Is general housekeeping complete? _____
2. Are working areas adequately lighted? _____
3. Are walkways clear of obstructions, slip, trip, and fall hazards? _____
4. Are appliances in good condition? _____
5. Are Exit Signs posted? _____
7. Are there any electrical hazards or exposures? _____
8. Are Fire Extinguishers posted and in good working order? _____
9. Are the Fire Alarm and Emergency Alert System
working properly? _____
10. Are file cabinet drawers closed and not protruding into walkways? _____

Originator:	Eller-ITO Stevedoring Co., LLC
Subject:	Vessel and Yard Procedures
Objectives:	Superintendent Training Course
Revision Date:	April 19, 2017



01.01 PURPOSE:

To establish procedures and guidelines for the management, safety, and welfare of personnel involved in yard and vessel stevedoring operations.

01.02 POLICY:

Eller-ITO Superintendents and members of ILA Local 1416 and Local 1922 shall follow proper procedures for management and safety of personnel, equipment, and resources during stevedoring operations.

01.03 RESPONSIBILITY:


Prevention of accidents that result in injury or illness, interruption of production, or damage to equipment is of paramount concern to Eller-ITO. We are dedicated to the concept that all accidents are preventable and are committed to achieving and sustaining "Zero Accidents". To be successful, such a program must embody proper attitudes toward – and individual responsibility for -- injury prevention by Superintendents, Checkers, and other longshore personnel. We strive to conform to the best practices in the Stevedoring Industry with oversight through the Eller-ITO Safety Program.

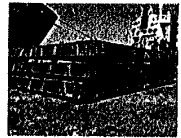


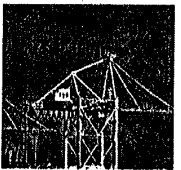
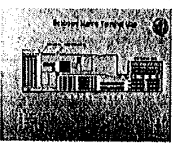
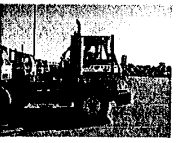
01.04 TRAINING:



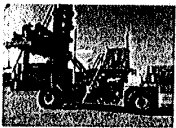


Eller-ITO's Safety Program includes oral presentations, written materials, and training required for safe and effective performance during stevedoring operations. Superintendents, Checkers, and other longshore personnel are responsible for participating in the scheduled training classes. They also are responsible for reading and understanding the manuals and other materials furnished by Eller-ITO. If anyone has questions, he or she should consult the Safety Director.

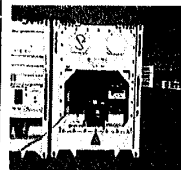
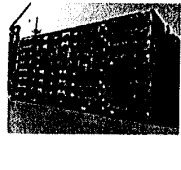
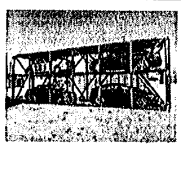

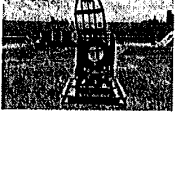

01.05 TOOLS & EQUIPMENT:


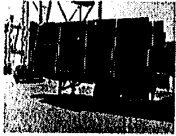
Listed below are basic tools and equipment used in the intermodal transport of trailers and containers, heavy equipment, vehicles, and other types of cargo. The Eller-ITO Stevedoring Operating Manual includes additional photographs and descriptions of tools and equipment used in stevedoring operations.

	<p><u>Vessel</u></p> <p>Vessel includes every description of watercraft and other vehicle used, or capable of being used, as a means of transportation on water. Each Vessel Superintendent must inspect thoroughly the areas of the vessel, including decks, bays, cell guides, and hatches used in loading and discharging cargo.</p>
	<p><u>Hatch Cover</u></p> <p>A Hatch Cover is a mobile deck that retracts or can be removed from the ship by crane. Good planning practices allow the Ship</p>

	<p>Superintendent to direct placement of Hatch Covers in areas where they do not interfere with stevedoring operations.</p>
	<p>Superintendent Truck</p> <p>Each Superintendent must ensure his or her truck has appropriate, operating lights and flashers. Seat belts must be worn by the driver and passengers. The Superintendent shall avoid passing and driving lanes used by Powered Industrial Trucks ("PIT") vehicles.</p>
	<p>Liebherr Crane</p> <p>The Liebherr Crane is a mobile crane unit for lifting or moving heavy loads. The Vessel Superintendent must ensure that Liebherr Crane is properly certified, marked, and equipped; that each operator is qualified and certified; and that a Liebherr Crane will be moved only when a spotter (Superintendent or Header) is present. Maintaining radio communication between the Liebherr Crane operator and the Superintendents is essential.</p>
	<p>Gantry Crane</p> <p>The Gantry Crane is specialized equipment with a projecting arm or boom for lifting or moving heavy loads. Movements and functions of the Gantry Crane include hoisting, gantrying, and trolleying. The Vessel Superintendent must ensure that each Gantry Crane is properly certified, marked, and equipped and that the operator is certified. Maintaining radio communication between the Gantry Crane operator and the Superintendents is essential.</p>
	<p>Terminal Layout</p> <p>Each Superintendent must be familiar with the terminal layout and ensure that vehicles and pedestrians adhere to and remain within the limits of authorized traffic patterns in the terminal and yard. Unauthorized vehicles and persons, including contractors and vendors, are prohibited from entering or traveling through any area where stevedoring operations are underway.</p>
	<p>Mule</p> <p>The Mule (a/k/a yard tractor or yard hustler) is one of the most common PIT vehicles. It pulls a Busby, or chassis, holding a Container around the terminal or yard, on the pier, and on ro-ro vessels. Each Mule must be equipped with proper guards and maintained in safe working order. The Vessel Superintendent must</p>

	ensure that each operator is certified.
	<p><u>Forklift</u></p> <p>The Forklift is a type of PIT vehicle designed to lift, transport, and position materials with steel blades called forks, which can be retrofitted with specialized attachments to handle loads such as drums and bales. The Vessel Superintendent must ensure that each Forklift is labeled, marked with rated capacity, equipped with proper guards, and maintained in safe working order, and the operator is certified.</p>
	<p><u>Heavy Lift</u></p> <p>The Heavy Lift is a forklift with greater capacity. The Vessel and Yard Superintendents must inspect the Heavy Lift to ensure that it is fully operational, and the operator is certified.</p>
	<p><u>Top Loader</u></p> <p>The Top Loader is a type of PIT vehicle that engages and lifts a container by its top four corners for transport. The Vessel and Yard Superintendent must ensure that each Top Loader is labeled, marked with rated capacity, equipped with proper guards, and maintained in safe working order, and that the operator is certified.</p>
	<p><u>Spreader</u></p> <p>The Spreader is mechanism for hoisting a Container. Its twist locks engage and lock into the Container's top corner fittings to enable lifting. Prior to the start of stevedoring operations, the Vessel Superintendent must inspect the Spreader to ensure operational readiness.</p>
	<p><u>Container</u></p> <p>The Container is a box-shaped article of equipment designed and used to store and move of goods. The Container is designed to be secured, lifted, and handled, having locking doors and corner fittings for these purposes. Sizes include 20 ft., 40 ft. and 45 ft. lengths by 96 in. and 102 in. widths.</p>

	<p><u>Reefer</u></p> <p>A box-shaped container, used to store and move goods. The container is designed to be secured, lifted and handled, having locking doors and corner fittings. Its unique design allows for transport of perishable cargo; its own self-propelled system keeps the contents cool.</p>
	<p><u>Flatrack</u></p> <p>The Flatrack is a type of Container designed and used to store and move cargo, particularly oversized items such as vehicles and heavy machinery. Sizes include 20 ft. and 40ft. lengths by 96 in. width with fixed or collapsible ends. The Vessel Superintendent must inspect stored Flatracks to ensure they are bundled no more than 4 to a stack. The walls and pins should be inspected to ensure the walls are locked into place.</p>
	<p><u>Car Carrier</u></p> <p>The Car Carrier is a type of Container designed and used to transport vehicles such as automobiles. Before movement of a Car Carrier, the Vessel or Yard Superintendent must inspect each Car Carrier to ensure that the gates are securely locked into position. In addition, the Superintendent must inspect to ensure that the cargo has been properly lashed and is ready for transport.</p>
	<p><u>Busby</u></p> <p>The Busby is a type of chassis, a wheeled, supporting frame that can be combined with a Mule to transport a Container.</p>
	<p><u>Safety Basket</u></p> <p>As required by the U.S. Coast Guard, a Safety Basket, consisting of a 30 in. life ring, 90 ft. of rope, and a stretcher basket, must be available at readily accessible points at each waterside work area where workers are exposed to the hazard of drowning. Before beginning stevedoring operations, the Vessel and Yard Superintendents must ensure that required Safety Baskets are in place.</p>
	<p><u>Gear Container</u></p> <p>The Gear Container is staged on the docks to provide wire ropes, safety harnesses, vests, lasher poles, and other gear supplies needed for stevedoring operations. Before beginning stevedoring operations, the Vessel Superintendent must ensure that a properly equipped Gear Container is accessible.</p>

	<p><u>Over-the-Road ("OTR") Vehicles & Drivers</u></p> <p>The Yard Superintendent shall ensure that transporting, loading and discharging operations of "OTR" vehicles and drivers on the outskirts of active stevedoring operations do not interfere with vessel loading and discharging operations.</p>
	<p><u>Staged Cargo</u></p> <p>Cargo may be staged on the pier or in the terminal or yard. The Yard and Vessel Superintendent must inspect the cargo to ensure it secured properly and ready for transit. The Vessel Superintendent must not load any cargo which is unfit for transport.</p>

01.06 THREE SIMPLE STEPS FOR STEVEDORING OPERATIONS:

Each Superintendent can be most effective and save lives by following three simple steps: **Plan, Provide, and Train**;

Plan – Plan ahead for potential hazards. Carefully evaluate the work site, the tasks to be completed, and the equipment to be used.

Provide – Provide the equipment needed to complete the tasks, *i.e.*, Personal Protective Equipment ("PPE") (29 C.F.R. §§ 1918.101-105), Personal Flotation Devices ("PFD"), ladders, lashing poles, Fall Protection System ("FPS") [29 C.F.R. §1918.85 (j), (k)].

Train – Superintendents must train workers to recognize potential hazards in the work place and to keep a lookout at all times. They must also train workers in the safe use of equipment to complete the task.

01.07 GENERAL SAFETY RULES for STEVEDORING OPERATIONS:

A. Vessel Superintendent Responsibilities:

The Vessel Superintendent is in charge of the entire stevedoring operation, responsible for overseeing all phases from commencement to completion, and is Eller-ITO's designated representative at the work site. With regard to particular jobs, the Vessel Superintendent has the authority to hire and dismiss workers, as deemed necessary. The Vessel Superintendent shall:

- Arrive to begin work at least one hour prior to stevedoring operation's scheduled start time.
- Wear appropriate PPE, including LED vest, helmet, flashlight, and HIT-NOT Proximity Detector.
- Conduct pre-operation safety inspection of the work areas, searching for unsafe site and equipment conditions and for other hazards to be corrected.
- Ensure lighting and ventilation are adequate in work areas. Contact Eller-ITO Operations Manager and shipping line's planning office if lighting or ventilation is inadequate.
- Ensure Safety Basket, Gear Container, and Water Coolers are properly equipped and staged.
- Ensure weatherproof First Aid Kit and Eller-ITO employee holding valid current First Aid Certificate are in terminal area.
- Pick up and review copies of Load Guides and Plan Sheets in shipping line's planning office prior to start of stevedoring operation.
- Check Load Plans and cargo availability.
- Determine that each Container has been inspected for visible defects, is properly identified in Load Plans or marked as loaded or empty, and shows the actual gross weight plainly visible to crane and other lifting device operators.
- Board vessel and inspect railings, eye pads, gratings, cleats, guides, corner castings and Hatch Covers -- and do thorough damage assessment.
- Inspect Spreader Bars to ensure there is no preexisting damage to the flippers.
- Honor and enforce ILA contract rules (e.g., meal hours, rain delays).
- Conduct Gangway Safety Talk prior to start of stevedoring operation.
- Verify all PIT drivers' and crane operators' certifications prior to start of stevedoring operation.
- Ensure each vessel ramp is properly maintained and secured and is plainly marked with load capacity prior to start of ro-ro operation.
- Establish and maintain organized system of vehicular and pedestrian traffic control at each vessel ramp.
- Carry out operation plan in conjunction with shipping line's chief planner and vessel's Chief Cargo Officer.
- Notify officer in charge of vessel before bringing internal combustion or electric powered tools, equipment, or vehicles onboard and before using vessel's electric power for operation of electric tools or equipment.
- Maintain constant communication with Yard Superintendent, Headers, Flagmen, planners, vessel's mates and crane operators.
- "Spot" crane when crane operator is moving from bay to bay.
- Maintain at least 90 ft. minimum distance between two cranes working back to back or facing each other on same vessel
- Establish and enforce 15 ft. Safe Work Zone for Checkers and Landers.
- Establish proper driving lanes for safe passage of Top Loaders and Mules.
- Ensure good housekeeping practices are maintained onboard vessel to eliminate slips, trips, and falls.

- Ensure surface areas are dry, free of grease and other hazards.
- Ensure reefers are loaded and faced in the correct direction for plugging in and hook-up.
- Ensure Fall Protection System (FPS) equipment is in use as necessary and appropriate.
- Look for possible exposures to dangerous situations in areas adjacent to or under cranes (e.g., swinging loads).
- Assist Yard Superintendent as needed.
- Contact the Maintenance & Repair Shop if any problems with PIT vehicles arise.
- Ensure workers do not tamper with seals.
- Ensure operators do not go into vessel with uneven loads when they are loading into cell guides. This procedure can cause damage to both Containers and the cell guides, and increases risk of injury.
- Ensure crane operators are using Flagmen, not working in the blind.
- Guard against unprotected port and starboard edges of vessel.
- Ensure vessel railings are in sound condition, temporary guard rails are in place, and hatches are closed. Do not stand at the edge of an open cargo hold.
- Comply with Customs Border Patrol CBP requests and route cargo to Inspection Stations as required.
- Contact Eller-ITO Operations Manager prior to lifting any loads over 40 tons.
- Require determination as to handling heavy lift and ad valorem cargo.
- Sign the Chief Mate's "Damage Forms", if you can attest to the nature, extent, and validity of a cargo claim. Sign "received only", if you are uncertain as to the nature, extent or validity of the claim. Promptly prepare and send the Safety Director a separate Superintendent's Report, including necessary witness statements, descriptions, explanations, and comments.
- Require written notification of any and all cancellations to the Vessel Superintendent of cargo previously scheduled for loading or discharge.
- Ensure PIT vehicles (Top Loaders, Forklifts, Mules, and Busbys) are returned to proper staging and storage areas.
- Ensure that mobile fuel trucks, barges, and other outside vendors do not interfere with stevedoring operation.
- Advise workers of appropriate break times, meal hours, and completion of activities.
- Advise Timekeeper of gang end time on completion of stevedoring operation.
- Ensure all paperwork, radios, and equipment are properly distributed to shipping line and Eller-ITO main office on completion of stevedoring operation.

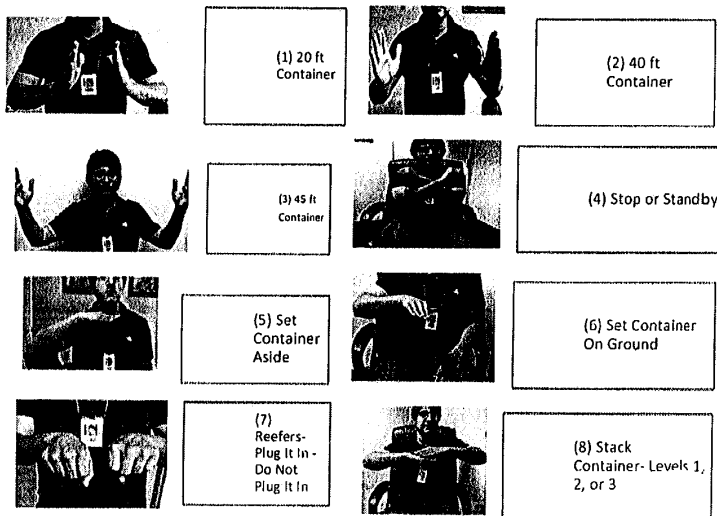
B. Yard Superintendent Responsibilities:

The container terminal yard is the area where Containers are stored and staged before they are loaded into or onto a vessel, railcar, or truck for further transport. The Yard Superintendent shall:

- Arrive to begin work at least one hour prior to stevedoring operation's scheduled start time.
- Wear appropriate PPE, including LED vest, helmet, flashlight, and HIT-NOT Proximity Detector.
- Conduct pre-operation safety inspection of the premises, searching for unsafe work site and equipment conditions and for other hazards to be corrected.
- Ensure lighting and ventilation are adequate in work areas. Contact Eller-ITO Operations Manager and Vessel Superintendent and the shipping line's planning office if lighting or ventilation is inadequate.
- Verify all PIT drivers' and crane operators' certifications prior to start of stevedoring operation.
- Inspect PIT vehicles and ensure units are operational -- lights, wipers, flashers, radio and HIT-NOT detection system.
- Pick up and review copies of Load Guides and Plan Sheets in shipping line's planning office prior to the start of operations.
- Check Load Plans and cargo availability.
- Determine that each Container to be hoisted has been inspected for visible defects, is properly identified in Load Plans or marked as loaded or empty, and shows actual gross weight plainly visible to crane and other lifting device operators.
- Determine that each trailer involved in ro-ro operation has been inspected for visible defects and is properly identified in Load Plans or marked with actual gross weight.
- Determine that PIT vehicles involved in ro-ro operation have power and braking capacity to ascend and descend ramps safely.
- Find and designate locations for cargo discharged from vessel.
- Ensure all Containers are staged in an East-West direction.
- Ensure staged loaded Containers are not stacked more than 3 high.
- Ensure refrigerated Containers (Reefers) are segregated in separate storage area, not with regular containers.
- Ensure loaded Reefers are not stacked more than 2 high and empty Reefers are not stacked more than 4 high.
- Call for Reefers stored in locations outside the terminal at least one hour prior to anticipated cargo load time.
- Ensure that Haz-Mat and Non-Haz Mat Containers are segregated and not mixed in the stacks.
- Explain to Vessel Superintendent how Flatracks and loose cargo are to be loaded (e.g., cables instead of Spreader).
- Obtain copy of Gang Order sheet from Header at start of stevedoring operation. Write the unit number of each Top Loader and Forklift being used next to the operator's name and the truck number and Yard Superintendent's name at the bottom of the sheet. Submit the Gang Order sheet to Eller-ITO

main office once operation ends. Place the Gang Order sheet in the location designated by the shipping line (e.g., red basket in Seaboard Marine office).

- Advise workers of appropriate break times, meal hours, and completion of activities.
- Attend Gangway Safety Talk by Vessel Superintendent prior to start of stevedoring operation.
- Monitor and control vehicular traffic flow, enforcing established traffic patterns. Do not allow drivers to cut across traffic or through container storage or stevedore operation areas.
- Prohibit all unauthorized pedestrians and vehicles from entering an active work zone.
- Remain in your truck as much as possible.
- Walk safely when you are outside your truck, making sure your movements are predictable and keeping an active lookout and contact with each Top Loader operator.
- Maintain safe speeds and follow established traffic patterns.
- Do not drive or park truck in blind spots of Top Loader drivers.
- Do not drive or park truck under crane or in 15 ft. Safe Work Zone.
- Ensure Top Loader operators are operating in safe manner (speed, protocol, Spreader in the 20 ft. position when traveling, etc.)
- Maintain communications with Top Loader drivers, planners, Custom Border Patrol, Vessel Superintendents, and others involved in stevedoring operation.
- Use appropriate Hand Signals as necessary to inform and direct drivers.



C. Brief Pre-Operation Meeting (Gangway Safety Talk):

Before the beginning of the stevedoring operation, the Vessel Superintendent shall hold a Gangway Safety Talk with all Eller-ITO supervisory and ILA longshore personnel. The Vessel Superintendent shall:

- Review applicable safety rules and use of PPE, PFD, and FPS, as well as equipment and tools.
- Review work assignments and assign each team member his or her duties.
- Ensure each worker has equipment needed to perform tasks.
- Ensure crane and PIT operators hold proper certifications.
- Designate locations of muster areas, first aid kits, Safety Baskets, Gear Container, and Water Coolers.

D. Safety Concerns:

Throughout the stevedoring operation, each Superintendent shall:

- Enforce the Fatal Five Rules:
 1. Walking Pedestrians

- Keep clear of moving equipment and stay where drivers can see you.
 - 2. Operating Mobile Equipment
 - Always drive safely and look for pedestrians.
 - 3. Working at Heights
 - Check that equipment is adequate, operational, and correctly fitted before you start working.
 - 4. Handling Loads
 - Position yourself safely and never walk or stand under a suspended load.
 - 5. Managing Contractors
 - Supervise and regularly inspect work being done by contractors.
- Prohibit use of cell phones, texting, headphones, and other distractions that impede or prevent workers from hearing their surroundings.
 - Report all injuries and any equipment and cargo loss, destruction or damage to Eller-ITO's Operations Manager and Safety Director and to the shipping line's office.
 - Stop and correct immediately any operation the Superintendent believes is unsafe.
 - Enforce proper climbing techniques: When climbing ladders, keep hands free and remember 3-point mount and dismount rules.
 - Ensure that each Flagman has gloves and a radio.
 - Do not make contact with unknown chemical products or agents (e.g., leaking Containers).
 - Notify the Eller-ITO Operations Manager and Safety Director and the shipping line immediately if you encounter unstable environment (e.g., vapor fumes, oil slick): Isolate area, deny entry, evacuate all workers, and leave immediately.
 - Enforce posted traffic rules and traffic routes.
 - Establish and maintain radio communications between Superintendents and crane and PIT vehicles operators.
 - Prohibit personnel from entering unauthorized areas onboard a vessel without permission. Examples are the vessel's bridge and the captain quarters.
 - Review Plan-Provide-Train basics before handling heavy or awkward loads which may risk an unsafe condition.
 - Allow use of "PIT" vehicles and other equipment only for its intended purpose by certified and authorized operators.
 - Exclude from the worksite workers who are disruptive or refuse to comply with operating safety procedures.
 - Ensure every worker has a valid Haz-Mat certification.
 - Permit no one to work if the person is using drugs or alcohol or exhibits signs of intoxication.
 - Caution all workers to drink water often, preferably every 15 minutes.
 - Learn the signs of heat illness and actions to take in an emergency.
 - Keep a vigilant eye on fellow workers and your surroundings.

E. PPE, FPS, & PFD:

Protective Equipment includes Personal Protective Equipment ("PPE") for the face, head and extremities, Fall Protection System equipment ("FPS"), and Personal Flotation Devices ("PFD"). All safety equipment shall comply with OSHA Standards [29 C.F.R. §§ 1910.132-140, 29 C.F.R. §1918.85 (j), (k)]. Superintendents must ensure that all personnel are PPE and FPS compliant:

- Foot Protection - All personnel must wear protective footwear in areas where there is a danger of foot injuries due to falling or rolling objects, objects piercing the sole, or exposure of feet to hazardous conditions. Footwear must be free from flaws, such as broken soles or open seams. Footwear with exposed metal on the sole or heel bottom should be avoided.
- Safety Vest – All personnel must wear high visibility, ANSI approved vests at all times, without exception, on the worksite. Not wearing a safety vest and hard hat in a work area are major OSHA violations.
- Head Protection – All personnel must wear protective helmets in areas where potential for head injury from falling objects exists. OSHA does not allow baseball caps under safety helmets.
- Hand Protection – All personnel must wear appropriate hand protection and use work practices that protect the hands from chemicals, cuts, injury, and rough objects. Remember to keep the hands out of tight places.
- Eye and Face Protection – All personnel must use appropriate eye and face protection when exposed to hazards conditions and anywhere there is danger of eye or face injury.
- Fall Protection – All personnel must wear approved fall arrest system in going aloft or working within (3) feet of an unguarded edge that is eight (8) feet or more above the adjoining surface.

F. Housekeeping Practices:

Good housekeeping is a basic requirement of any safety program. Effective housekeeping practices result in primary benefits:

1. Reduced Operating Costs: Less time and effort to keep work areas clean, once a system has been established.
2. Reduced Accident Rates: Reduction of objects hazards resulting in fewer injuries (e.g., trucks running over loose chains which strike lashers in lower extremities).

3. Increased Production: Clean work areas free of debris, lessening potential for slips, trips and falls.

Before and during each stevedoring operation, Superintendents shall ensure:

- All fire-fighting equipment in terminal and dock areas has been checked.
- Walkways are clear of hazards to prevent slips, trips and falls.
- Oil spills and slippery work surfaces are covered with sand, sawdust, or similar non-skid materials promptly after discovery and cleaned as soon as possible.
- Dunnage, rubbish, old gear, and old pallets are removed from work areas regularly.
- Protruding nails, banding, and other materials are removed to prevent injury.
- "Hazardous" labeled cargo is confined to ONE (1) area.

Keep walkways clear of hazards to prevent slips, trips and falls.



01.08 STANDARD OPERATING PROCEDURES:

Superintendents shall ensure that longshore personnel comply with their responsibilities: Superintendents have ability to Hire and /or Fire Labor.

A. Crane Operator Responsibilities:

- Maintain current certification required to operate crane.
- Follow all established "start-up" and testing procedures before beginning operation.
- Install temporary guards, by ropes or other suitable means, in areas within swing radius of the outermost part of a revolving crane's body during cargo operations to prevent personnel from being between the crane body and other fixed vessel or crane parts.
- Adhere to manufacturer's operating procedures and applicable load ratings. Do not overload the crane.
- Operate crane in safe manner, keeping loads under control.
- Do not hoist improperly slung loads.
- Do not suspend loads over heads of workers under hook.
- Do not move crane from bay to bay without spotter.
- Rig to equalize the load on each crane when two cranes are used to hoist a load.
- Make sure booms do not strike fixed objects and are not struck by swinging loads.
- Adhere to all established storm and wind warnings, and crane securing procedures.
- Report any accident involving cargo or equipment damage or personal injury to Vessel Superintendent immediately.
- Report any hole in Container that crane operator causes or sees to Vessel Superintendent immediately for appropriate action.
- Do not use rubber bands on the throttle.
- Follow all "shut down" procedures before leaving cab.
- Turn over Liebherr Cranes to shipping line's mechanic once crane operator has finished operation.

B. Top Loader & Forklift Operator Responsibilities:

- Maintain current certification required to operate PIT vehicles.
- Follow all established "start-up" and testing procedures -- testing brakes, steering gear, and mechanisms for raising, lowering, and tilting forks -- before beginning operation. Report any mechanical problems to the Yard, Vessel Superintendent or on-site Mechanic.
- Ensure HIT-NOT Proximity Detector system is operational on PIT vehicles.
- Operate PIT vehicles in safe manner and in forward or reverse to have unobstructed views of direction of travel.
- Be aware of vehicles and pedestrians in the area.
- Be especially cautious approaching blind corners or other areas where vision is limited.

- Obey all speed and traffic regulations and other applicable haulage equipment rules.
- Make sure vehicle is under control at all times, so that it can be brought to an emergency stop in visibly clear space.
- Permit worker to ride only on specific instructions from Superintendent or Header in charge of operations.
- Operate equipment from seat or platform only, not from standing or walking position, unless the equipment is designed to operate in such a manner.
- Do not suspend or swing load over any person.
- Never leave an unattended Top Loader or Forklift running unless you are within 25 ft of the unit.
- Align Spreader directly above the container holes for the container lift.
- Remember to make slow, smooth movements and avoid abrupt stops and starts.
- Stop and notify a Superintendent if PIT vehicles have any difficulty lifting load.
- Report any accident involving cargo or equipment damage or personal injury to Vessel Superintendent immediately.
- Report any hole in a Container that operator causes or sees to the Vessel Superintendent immediately for appropriate action, such as tape repairs.
- Tilt forks forward, flush with floor or other surface and clear of aisles when Forklift is parked. Keep forks no fewer than four (4) inches nor more than six (6) inches above floor or other surface when Forklift is moving.
- Follow all "shut down" procedures and shut off motor before leaving PIT vehicles.

C. Lander / Ground Flagman Responsibilities:

- Make sure Crane, Top Loader, Mule, and Forklift operators can see worker at all times, and stay out of driving lanes.
- Stand on short side of Container and in sight of partner and signalman for proper coordination and communication.
- Insert and remove twist lock while Container is on ground by Lander.
- Notify Vessel Superintendent immediately, if Lander cannot perform this duty in safe manner.
- Never place any part of body in way of moving Container.
- Stay in Safety Lanes -- *i.e.*, safety areas marked by consisting of stripes or cones -- to perform required work. Safety Lanes should be wide enough to safely allow a Container and chassis to safely pass workers without entering this safety zone.

D. Vessel Flagman Responsibilities:

- Remain on vessel at all times when crane operations are in progress to perform the duties of a Flagman.
- Flagman must maintain continuous communications with crane operator (e.g. radio or hand signals). Flagman will suspend operation if communications is lost, and will resume operations once communications are restored.
- Make sure workers have finished unlocking containers and are clear prior to giving crane operator the signal to hoist.
- Require correction if container is not properly locked on all four sides to lifting frame or spreader before signaling for hoisting.
- Keep moving cargo and containers in sight, and warn all workers in danger of injury.
- Do not enter into unauthorized areas of the vessel or work area.
- Always secure a safe position while working as a Flagman.

E. Shop Manager and Issuing Equipment Mechanic Responsibilities:

- Conduct a pre-trip and visual inspection (looking for unsafe conditions) of the equipment.
- Complete the Shop Equipment form for each Top Loader, Mule and Forklift being issued to the operator.
- Verify all drivers' certifications prior to issuance of the PIT equipment.
- Complete the Shop Equipment form once PIT equipment is checked in at the end of operations.
- Contact the Shop Manager and/or Safety Director if any problems arise during the issuing process or return of the PIT equipment.

Acknowledgements:

Eller-ITO complies with all federal, state, and local laws, rules, and regulations pertaining to operations. In addition Eller-ITO complies with port, terminal and yard operating rules and regulations.

In the event of any discharge, damage, improper handling, leakage, spill or emission of hazardous materials or pollutants, the Superintendent must notify Eller-ITO's Operations Manager and Safety Director and the terminal operator immediately.

This Manual outlines basic concepts and procedures; it is not all-inclusive. Eller-ITO Superintendents encounter many variables during stevedoring operations. However, review of Eller-ITO manuals and policies, and participation in Eller-ITO training program, should raise safety awareness, together with a sense of pride in abilities to accomplish tasks and properly perform Superintendents' duties.

4/28/22, 1:10 PM

Enviros - Enforcement Action Advanced Search

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ENVIROS

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4/28/22, 1:11 PM

Florida Hazardous Waste Handler Search Results



Florida Department of Environmental Protection

Hazardous Waste Facilities Search Results

Selection Criteria for This Handler Search:

EPAID: % ; Name: **ELLER-I.T.O. STEVEDORING COMP%** ; Address: % ; City: % ; County: %

For Facility Data Links:

Activities -- provides a list of RCRA compliance activities and violations.

Mapping in GIS -- this opens a **[NEW IMPROVED]** GIS mapping tool focused on the facility.

Documents -- this provides a list of electronic documents available online.

Error Reporting -- send us feedback to address data errors.

County Verification -- County or RPC verification of Facility and Waste for this site.

For a Generator Status History:

click on the **Status**. - **NNOT** indicates a facility is a Non-Notifier and may not have been issued the associated EPAID - **Check with DEP before using that EPAID!**

[Legend of Status Types](#)

EPA ID	Name	County	Address	Contact	Status	As of	Data Links
Search has retrieved 0 Facilities							

Legend of Status Types:

- LQG - Large Quantity Generator
- SQG - Small Quantity Generator
- CES - Conditionally Exempt Small Quantity Generator
- UOT - Used Oil Transporter
- TRA - Hazardous Waste Transporter
- TSD - Treatment/Storage/Disposal Facility
- CLO - Closed
- NHR - Non-Handler of Hazardous Waste

- OSHA ▾
- STANDARDS ▾
- ENFORCEMENT
- TOPICS ▾
- HELP AND RESOURCES ▾
- NEWS ▾
- Contact Us
- FAQ
- A to Z Index

- English
- Español

Establishment Search

Reflects inspection data through 04/26/2022

This page enables the user to search for OSHA enforcement inspections by the name of the establishment. Information may also be obtained for a specified inspection or inspections within a specified SIC.

Note: Please read important information below regarding interpreting search results before using.

Search By:

Your search did not return any results.

Establishment
(This box can also be used to search for a State Activity Number for the following states: NC, SC, KY, IN, OR and WA)

State

OSHA Office

Site Zip Code

Case Status All Closed Open

Violation Status All With Violations Without Violations

Inspection Date

Start Date

End Date

Can't find it?
Wildcard use %
Basic Establishment Search Instructions
Advanced Search Syntax

NOTE TO USERS

The Integrated Management Information System (IMIS) was designed as an information resource for in-house use by OSHA staff and management, and by state agencies which carry out federally-approved OSHA programs. Access to this OSHA work product is being afforded via the Internet for the use of members of the public who wish to track OSHA interventions at particular work sites or to perform statistical analyses of OSHA enforcement activity. It is critical that users of the data understand several aspects of the system in order to accurately use the information.

The source of the information in the IMIS is the local federal or state office in the geographical area where the activity occurred. Information is entered as events occur in the course of agency activities. Until cases are closed, IMIS entries concerning specific OSHA inspections are subject to continuing correction and updating, particularly with regard to citation items, which are subject to modification by amended citations, settlement agreements, or as a result of contest proceedings. THE USER SHOULD ALSO BE AWARE THAT DIFFERENT COMPANIES MAY HAVE SIMILAR NAMES AND CLOSE ATTENTION TO THE ADDRESS MAY BE NECESSARY TO AVOID MISINTERPRETATION.

The Integrated Management Information System (IMIS) is designed and administered as a management tool for OSHA to help it direct its resources. When IMIS is put to new or different uses, the data should be verified by reference to the case file and confirmed by the appropriate federal or state office. Employers or employees who believe a particular IMIS entry to be inaccurate, incomplete or out-of-date are encouraged to contact the OSHA field office or state plan agency which originated the entry.

UNITED STATES DEPARTMENT OF LABOR

Occupational Safety and Health Administration
200 Constitution Ave NW
Washington, DC 20210
☎ 800-321-6742 (OSHA)
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From: no-reply.foia.uscg@dhs.gov
To: [Osorno-Belleme, Angela](#)
Subject: RE: Your Freedom of Information Act (FOIA) 2022-CGFO-01489
Date: Monday, May 2, 2022 7:21:52 AM

External Email Warning: This email originated from outside the Broward County email system. Do not reply, click links, or open attachments unless you recognize the sender's **email address** (not just the name) as legitimate and know the content is safe. Report any suspicious emails to ETSSecurity@broward.org.

Ms. Osorno-Belleme,

This acknowledges receipt of your April 28, 2022, Freedom of Information Act (FOIA) request to the U.S. Coast Guard (USCG) for any environmental infractions, fines, penalties, and resolutions associated with the following companies: [Eller-I.T.O. Stevedoring Company, L.L.C. 1007 N. America Way Suite 501 Miami, FL 33132](#) and [Cemex Construction Materials Florida, LLC P.O. Box 13144 Fort Lauderdale, FL 33316](#) the period of this request is April 1, 2017, through April 30, 2022. Your request was received on May 02, 2022 and has been assigned FOIA number 2022-CGFO-01489.

We have queried the appropriate component of the USCG for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

You may check the status of your request by entering FOIA request number 2022-CGFO-01489 into the following site: [Department of Homeland Security PAL \(dhs.gov\)](#). Request status is updated and refreshed on a nightly basis electronically.

You may contact this office via telephone at 202-475-3522 or via email at EFOIA@uscg.mil if you have any further questions.

Sincerely,

U.S. Coast Guard
FOIA Office

From: [Osorno-Belleme, Angela](#)
To: [HQS-SMB-FOIA](#)
Subject: Freedom of Information Act Request
Date: Thursday, April 28, 2022 1:18:00 PM
Attachments: [image.png](#)

Please accept this email as a Freedom of Information Act request for information on any environmental infractions, fines, penalties, and resolutions associated with the following companies:

Eller-I.T.O. Stevedoring Company, L.L.C.
1007 N. America Way Suite 501
Miami, FL 33132

Cemex Construction Materials Florida, LLC
P.O. Box 13144
Fort Lauderdale, FL 33316

The period of this request is April 1, 2017, through April 30, 2022.

Your response may include redactions (removal) of Personal Information(5 U.S.C. 552(b)(6) and (b)(7)(c) information.

Thank you.



Angela Osorno Belleme, PMP
Franchise and Business Permit Manager
Business Development Division, Port Everglades
1850 Eller Dr, Fort Lauderdale, FL 33316
☎ 954.468.0112 | 📠 954.479.7366
www.porteverglades.net

ELLER – ITO Stevedoring Company, L.L.C.

1007 North America Way, #501 Miami, Florida 33132
Telephone: (305) 379-3700 / Facsimile: (305) 371-9969

Section Q

1. Provide a statement (and /or documentation) which describes the Applicant's commitment to environmental protection, environmental maintenance, and environmental in the Port.

Eller-ITO is committed to providing a safe and healthy workplace for employees, contractors, and visitors and to minimizing any adverse environment impact during the performance of its business. Eller-ITO's commitment to the preservation of the environment is demonstrated by its adherence to rules of DERM, EPA, US DOT, HAZ MAT and other regulatory organizations.

We are committed to meeting the most recent EPA Tier requirements and the use of electrification wherever possible. This includes the use of Tier 4 diesel engines, electric Forklifts and Pallet Jacks company wide.

Eller-ITO has continued its commitment to numerous environmental initiatives it started several years ago. Included are our requirements that all outside contractors comply or exceed with industry and government standards before we do business with them.

ELLER – ITO Stevedoring Company, L.L.C.

1007 North America Way, #501 Miami, Florida 33132
Telephone: (305) 379-3700 / Facsimile: (305) 371-9969

Section R

2. Provide written evidence of Applicant's ability to promote and develop growth in the business activities, projects or facilities of Port Everglades.

Eller-ITO is recognized as a premier leader in the Maritime Industry, and is recognized for its exemplary service. Our Strength, however is derived from personal dedication to providing the best service, and confirmed in the end by the expressed approval of those customers we serve.

Our service creates a unique environment where camaraderie and a family atmosphere flourish even while sometimes presenting stressors and challenges to our own reserves. We believe and continually challenge our employees to deliver excellence every day and strive for ways to better assist the cruise passenger's experience.

As we enter into our sixth year of operations at Port Everglades, we have humbly expanded and became the sole service provider for Royal Caribbean Cruise Lines. Eller-ITO was chosen by RCCL because of experience, professionalism and its harmonious working relationships with both internal and external customers. Eller-ITO has demonstrated its respect for Port Authority, our external customers and BSO jurisdiction.

Continuous monitoring of market trends enables Eller-ITO to better understand the needs and forecast the demands of our services. This is how we recently obtained new business at Port Miami and are the Stevedoring Company providing intermodal transportation services for the FEC Railway Company. And as time goes on and Eller-ITO acquires cargo vessels operations at Port Everglades, we will continue to exemplify service that the customer will deem excellent. Strong customer and market focus is how Eller-ITO will attract, develop and maintain new businesses in at Port Everglades.

If you have checked an Applicant box for VESSEL BUNKERING, VESSEL OILY WASTE REMOVAL, VESSEL SANITARY WASTE WATER REMOVAL, OR MARINE TERMINAL SECURITY, the following additional information is required:

N/A VESSEL BUNKERING

Section T- A Letter of Adequacy from the U.S. Coast Guard and a copy of the applicant's operations manual approved by the U.S. Coast Guard.

Section V- A copy of the applicant's Oil Spill Contingency Plan for Marine Transportation Related Facilities approved by the U.S. Coast Guard.

Section W- A Terminal Facility Discharge Prevention and Response Certificate with a copy of an approved Oil Spill Contingency Plan from the Florida Dept. of Environmental Protection.

Section Z- An approved Discharge Cleanup Organization Certificate from the Florida Dept. of Environmental Protection which has been issued to the applicant or to its cleanup contractor with a copy of the cleanup contract showing the expiration date.

N/A VESSEL OILY WASTE REMOVAL

Section S - Certificate of Adequacy in compliance with the Directives of MARPOL 73/75 and 33 CFR 158, if applicable.

Section T- A Letter of Adequacy from the U.S. Coast Guard and a copy of the Applicant's operations manual approved by the U.S. Coast Guard.

Section U- A Waste Transporter License from the Broward County Environmental Protection Department identifying the nature of the discarded hazardous (or non-hazardous) material to be transported.

Section V- A copy of the Applicant's Oil Spill Contingency Plan for Marine Transportation Related Facilities approved by the U.S. Coast Guard.

Section W- A Terminal Facility Discharge Prevention and Response Certificate with a copy of an approved Oil Spill Contingency Plan from the Florida Dept. of Environmental Protection.

Section X- A Used Oil Collector, Transporter, and Recycler Certificate from the Florida Dept. of Environmental Protection.

Section Y- An Identification Certificate from the U.S. Environmental Protection Agency.

Section Z- An approved Discharge Cleanup Organization Certificate from the Florida Dept. of Environmental Protection which has been issued to the Applicant or to its cleanup contractor with a copy of the cleanup contract showing the expiration date.

N/A VESSEL SANITARY WASTE WATER REMOVAL

Section U- A Waste Transporter License from the Broward County Environmental Protection Department identifying the nature of the discarded hazardous (or non-hazardous) material to be transported.

Section Z1- A copy of the Applicant's operations manual.

Section Z2- A Septage Receiving Facility Waste Hauler Discharge Permit from the Broward County Water and Wastewater Services Operations Division.

N/A MARINE TERMINAL SECURITY

Section N1- A list of all metal detection devices, walk-through and hand held, as well as all luggage and carryon x-ray machines owned or leased, to be used or domiciled at Port Everglades. Listing must include brand name and model.

Section N2- A copy of all manufacturers recommended service intervals and name of company contracted to provide such services on all aforementioned equipment.

Section N3- A description of current method employed to assure all equipment is properly calibrated and functioning.

CONTACT INFORMATION

Contacts:

Christopher C. Arocha
Senior Vice President
Telephone Office : [305] 379-3705
chrisarocha@ellerito.com

Fernando Alvarez
Vice President of Operations
Telephone Office : [305] 379-3706
falvarez@ellerito.com

Silvia Guardado
Vice President of Finance
Telephone Office: [305] 379-3739
sguardado@ellerito.com

Alfonso Johnson
Safety Director
Office: [305] 379-3718
ajohnson@ellerito.com

For Ordering Labor & Vessel Operations:

Fernando Alvarez , Vice President of Operations
Telephone: [305] 379-3706
Fax: [305] 371-9969
Cell: [305] 219-3730

Operations Manager

Charles Schroeder
Telephone: [305] 379-3702
Cell: [305] 498-8071
cschroeder@ellerito.com

ELLER - ITO Stevedoring Company LLC
1007 North America Way, Suite 501, Miami, Florida 33132
[305] 379-3700 • Fax: [305] 371-9969

Section N4- current training requirements and training syllabus for employees operating x-ray equipment. Highlight emphasis on weapon and contraband identification. Include equipment operator certificates, if any.

Section O1- Provide copies of all local, state and federal licenses, including:

- a. A copy of the Applicant's State of Florida Business License.
- b. A copy of security agency's Manager's "M" or "MB" License and a copy of the security agency's "B" or "BB" License issued by the Florida Department of Agriculture and Consumer Services.

Section P3- SECURITY GUARDS / SUPERVISORS

- a. Provide Applicant's background requirements, education, training etc., for personnel hired as security guards.
- b. Provide historic annual turnover ratio for security guards.
- c. Provide a copy of Applicant's job training program/policy including a copy of training curriculum and copies of all manuals and take-home materials made available to security guards. Include information regarding frequency of training.
- d. Provide background requirements, experience, licensing and any and all advanced training provided to supervisory personnel.
- e. Provide present policy for individual communication devices either required of security guards or supplied by the employer.
- f. Provide procurement criteria and source as well as Applicant's certification requirements for K-9 workforce.
- g. Provide information on the number of security guards / supervisors currently employed or expected to be employed to provide security services at Port Everglades.

Supervisors _____
Class D Guards _____
Class G Guards _____
K-9 Handlers _____

Port Everglades Tariff 12

References to the Port Everglades Tariff 12 as amended or reissued: <http://www.porteverglades.net/development/tariff>

Application Fees

The following fees have been established for franchised businesses at Port Everglades. Initial processing fees are nonrefundable. A franchise is required for each category of business.

Stevedore

Initial processing fee, assignment fee, or reinstatement fee \$ 11,000.00

Annual Fee

\$ 4,000.00

Cargo Handler

Initial processing fee, assignment fee, or reinstatement fee \$ 11,000.00

Annual Fee

\$ 4,000.00

Steamship Agent

Initial processing fee, assignment fee, or reinstatement fee \$

4,000.00

Annual Fee

\$ 2,250.00

Tugboat and Towing

Initial processing fee, assignment fee, or reinstatement fee \$ 26,000.00

Annual Fee

By Contract

Vessel Bunkering, Vessel Oily Waste Removal,

Vessel Sanitary Waste Water Removal

Initial processing fee, assignment fee, or reinstatement fee \$ 4,000.00

Annual Fee

\$ 2,250.00

For first-time franchise Applicants, both the initial application fee and the annual fee must be submitted at time of application. Thereafter, annual franchise fees are due and payable each year on the franchise anniversary date, which is defined as the effective date of the franchise.

Note: Check(s) should be made payable to:

BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS and be mailed with this application to:

Port Everglades Business Administration Division

1850 Eller Drive, Fort Lauderdale, FL 33316

Required Public Hearing

Staff review of this application will not commence until such time as all of the above requested information and documentation has been provided and the franchise application has been determined by staff to be complete. All of the above requested information and Sections are required to be completed prior to the scheduling of the public hearing. Staff will request that the Broward County Board of County Commissioners set a public hearing to consider the franchise application and hear comments from the public. The Applicant will be notified of the Public Hearing date and must plan to attend the Public Hearing.

By signing and submitting this application, Applicant certifies that all information provided in this application is true and correct. Applicant understands that providing false or misleading information on this application may result in the franchise application being denied, or in instances of renewal, a franchise revoked. Applicant hereby waives any and all claims for any damages resulting to the Applicant from any disclosure or publication in any manner of any material or information acquired by Broward County during the franchise application process or during any inquiries, investigations, or public hearings.

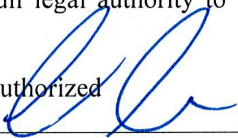
Applicant further understands that if there are any changes to the information provided herein (subsequent to this application submission) or to its officers, directors, senior management personnel, or business operation as stated in this application, Applicant agrees to provide such updated information to the Port Everglades Department of Broward County, including the furnishing of the names, addresses (and other information as required above) with respect to persons becoming associated with Applicant after its franchise application is submitted, and any other required documentation requested by Port Everglades Department staff as relating to the changes in the business operation. This information must be submitted within ten (10) calendar days from the date of any change made by the Applicant.

Applicant certifies that all workers performing functions for Applicant who are subject to the Longshore and Harbor Workers' Act are covered by Longshore & Harbor Workers' Act, Jones Act Insurance, as required by federal law.

This application and all related records are subject to Chapter 119, F.S., the Florida Public Records Act.

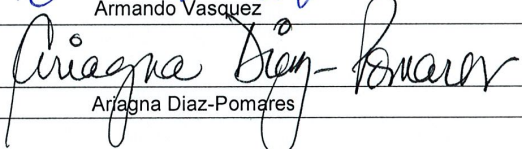
By its execution of this application, Applicant acknowledges that it has read and understands the rules, regulations, terms and conditions of the franchise it is applying for as set forth in Chapter 32, Part II, of the Broward County Administrative Code as amended, and agrees, should the franchise be granted by Broward County, to be legally bound and governed by all such rules, regulations, terms and conditions of the franchise as set forth in Chapter 32, Part II, of the Broward County Administrative Code as amended.

The individual executing this application on behalf of the Applicant, personally warrants that s/he has the full legal authority to execute this application and legally bind the Applicant.

Signature of Applicant's Authorized Representative  Date Signed 04/13/22

Signature name and title - typed or printed Christopher C. Arocha - Senior Vice President

Witness Signature (*Required*) 
Witness name-typed or printed Armando Vasquez

Witness Signature (*Required*) 
Witness name-typed or printed Ariagna Diaz-Pomares

If a franchise is granted, all official notices/correspondence should be sent to:
Name _____ Title _____
Address _____ Phone (____) _____