

“THE SHIPPER'S BOOKING OF CARGO AFTER RECEIVING THE TERMS OF THIS NRA OR NRA AMENDMENT CONSTITUTES ACCEPTANCE OF THE RATES AND TERMS OF THIS NRA OR NRA AMENDMENT.” - Apex Logistics International, Inc. - FMC OTI No. 019449NF
When used in this document “APEX” means Apex Logistics International | FMC OTI No. 019449NF

Rate Quote Terms and Conditions

GENERAL RATES:

- a. FCL Ocean freight quote validity if not otherwise specified: 7 days from quote date and will expire thereafter if not confirmed.
- b. LCL ocean freight quote validity if not otherwise specified: 30 days from quote date and will expire thereafter if not confirmed.
- c. Rates effective only after confirmation and subsequent customer acceptance of the rate agreement
- d. Rates Are in U.S. Dollars, unless otherwise specified. We reserve the right to revise the prices contained herein for currency fluctuations.
- e. Unless otherwise specified and agreed with all exports subjects to following forwarding fees: USD 85 per shipment for forwarders export documentation fee, USD 35 per submission for filing EEI electronically to the AES to comply with US CBP regulations (up to 3 HTS items numbers), USD 10 per HTS thereafter.
- f. Particular to USA imports subject to AMS fee \$45 per BOL.
- g. Disbursement Fee: Not withstanding existing specific agreements, a fee of 3.0 % based on the total disbursement to be paid by Apex on behalf of customer will be levied to cover administrative costs for the payment to vendors on the importers behalf. Courier charges may be applicable.
- h. Authorized funds out-lay service charge items include Customs Duties & Taxes, Terminal Fees, Trucker Waiting Time, Hazardous Material Surcharge, Pallet Exchanges, Storage, Demurrage, and Container Per Diem
- i. Rates are quoted based on tender volumes. In the event that the actual award is less than the quoted tender volume, rates may be subject to revision.
- j. Rates are subject to equipment and carrier availability
- k. Rates are exclusive of detention, demurrage, insurance, storage after free time, customs bond, customs clearance, duties, VAT, taxes, user fees, governmental charges (i.e. fumigation), etc.
- l. Rates are valid for general cargo, excluding dangerous goods, perishables, valuables, or oversized cargo, unless otherwise stated in the quote.
- m. Rates are subject to any General Rate Increase (GRI), Peak Season Surcharge (PSS), Bunker/Fuel Rate Surcharge, Currency Adjustment Factor, Emergency Surcharge, War Risk Surcharge, Security Rate Surcharge, Shanghai Port Surcharge, Low Sulphur Surcharge (LSS), NY Container Facility Charge, port wharfage, or other charges assessed by the underlying carrier, unless otherwise specified.
- n. Ocean Transportation Bunker/Fuel Surcharge is a fluctuating charge based on market conditions and is reviewed monthly.
- o. Container drayage, FTL Trucking, and LTL trucking (when not quoted as part of an all-inclusive international transportation quotation) is subject to FUEL SURCHARGE, which for USA movements will be adjusted on Wednesday of each week based on the U.S. National Average Fuel Index of the prior Monday. Increases or decreases will take effect on each Wednesday based on the APEX formula table. The Energy Information Administration of the U.S. Department of Energy, is available by telephone at 202-586-6966 or on the department's internet site: <https://www.eia.gov/petroleum/gasdiesel/>
- p. Quoted rates apply only for cargo of legal weight and dimensions which can vary by country.
- q. Ocean LCL Weight or Measure (W/M) rates are based on a volume ratio of 1:1 (i.e. 1 CBM = 1000 kg) unless otherwise specified.
- r. Quoted ocean rates are locked-in once the container has gated-in at origin. If shipment gates-in after the quote expiration date, it will need to be requested.
- s. Charges not included in quote: 1) Actual customs & duties levied by the government. These are only calculated when the goods are cleared for customs prior or after arrival depending on the destination, and therefore cannot be included upfront, 2) Commodity specific charges. For example, if shipping foodstuffs, dangerous goods or pharmaceuticals, your shipment may be subject to additional services due to paperwork and licenses required, 3) Special handling required, i.e., fragile goods.
- t. All rates are subject to: Port/Rail Ramp/Ocean Terminal/Air Terminal Storage, Container Demurrage, Container Detention, Storage fees at Trucker's yard, Trucker's Dry-Run fee, Container Pre-Pull, Chassis Rental, Chassis Detention, Insurance, Manifest Corrector, MBL/HBL Telex fees, Seaway B/L fees, Courier fees, delivery to Residential Areas, Tailgate, Handbomb, Live Unload charges, Trucker's Waiting Time, IMCO and Special Equipment Delivery, Booking/Container Roll-Over, Peak Season Canadian Rail, Truck Peak Season Surcharges, Wharfage fees, Terminal Usage fees, Panama water fee, and Consultation fees

SERVICE:

- a. Transit dates and times for shipments moved with APEX including pickup/delivery dates and times are not guaranteed. Transit dates and times, delivery dates and times, and pickup dates and times are estimates only. APEX is not responsible for any late charges, labor charges and any and all charges that customer will back charge to company and/or carrier because of perceived late pickup and delivery of any and all shipments.
- b. Carrier(s) will be selected from APEX's extensive portfolio of asset owners to provide a unique solution; in which transit time, vessel cutoff, departure & arrival days, equipment & space availability will be designed to meet your specific requirements.
- c. Precarriage/On-Carriage Drayage/Trucking: 1) Pickups/Deliveries will be made within normal business hours within city limits or zip code provided, 2) Pickup/Delivery rates are based on live loads/unloads – free time may vary, 3) Rates exclude special services and equipment (i.e. after hours, weekend/holiday, waiting time, super chassis, etc.) unless otherwise specified.
- d. In the event of a force majeure circumstance such as, but not limited to, war, terrorist activity, police or military action (or any measure to prevent or respond to any such circumstances) new emergency surcharges or increases in existing surcharges may be implemented.
- e. All APEX' customers must agree to comply with all applicable laws, rules, and regulations, including but not limited to customs laws, import and export laws, and governmental regulation of any country to, from, through, or over which the shipment may be carried.
- f. APEX shall have a lien on any shipment for any and all sums due from Customer, whether related to the affected shipment or otherwise.
- g. APEX may, in its sole discretion, refuse any shipment from Customer at any time.

SPECIFIC TRUCKING/DRA YAGE FEES (NOTE: Trucking/Drayage related fees subject to safe harbors as services' price elasticity changes)

- a. Chassis Rental \$45 per day minimum 2 days at interior intermodal points; Chassis Rental \$60 per day minimum 3 days at NY/NJ metro and LA/LB; Chassis Rental \$45 per day minimum 3 days at all other sea port cities.
- b. Trucker Waiting Time (port pickup and/or delivery) - After one hour at \$100 per hour in fifteen minute increments.
- c. Chassis Split is \$150 per occurrence at interior intermodal points; Chassis Split is \$175 per occurrence for all seaport cities.
- d. Road tolls (where applicable)
- e. Private chassis lift-on / lift-off fee, when applicable, are the responsibility of the customer.
- f. CA Ports Specific Fees:
 - LA/LB Pier Pass' Traffic Mitigation Fee (TMF) is a single flat fee charged only on weekdays during the daytime shift at the Ports of Los Angeles and Long Beach. This cost for this fee is \$35.57 per 20GP/20HC/20OT. The TMF for all other size containers is \$71.14. Containers exempt from the TMF include empty containers, domestic and transshipment cargo, and import cargo or export cargo that transits the Alameda Corridor in a container and is subject to a fee imposed by the Alameda Corridor Transportation Authority. Empty chassis and bobtail trucks are also exempt.
 - LA/LB Clean Truck Fund Rate (CTFR) effective April 1, 2022. Under the CTFR program, cargo that is not being transported on zero-emission vehicles is subject to the tariff, which is \$10 per TEU.
 - The Extended Gate Fee (EGF) at the Port of Oakland. This fee is \$30 container and applies to all import and export loads coming in and out of the terminal both shifts (day and night) + \$5 per container EGF administration fee. The fee will apply to LOAD IN and LOAD OUT transactions, regardless of shift, except for rail/IPI containers (both Eastbound and Westbound).
 - Snow Surcharge (Chains Nevada) \$150 per occasion
- g. GenSet Surcharge for reefers @ \$300 per container.
- h. Pre-pull fee @ \$175 + FSC
- i. Daily storage rate at intermediate drop yard @ \$100
- j. Demurrage / Per Diem Fees assessed at the greater value of the APEX Per Diem & Demurrage formula table.
- k. Tri-axle fee \$175 applicable on 20' containers weighing 35,500 lbs. to 44,000 lbs.
- l. Overweight permit required for 40' containers weighing 44,001 lbs. to 47,000 lbs. Cost varies by port.
- m. Tanker endorsement fee @ \$250
- n. Drop charge will be double the drayage rate, plus fuel and chassis rental.
- o. Demurrage, Detention, Per Diem charges are the responsibility of the customer.
- p. Rates are based on carrier's ability to deliver within free time. If on the last free day the carrier cannot get the container out because of heavy congestion or ramp and pier closure's, storage and per diem charges will be the responsibility of the customer. Any congestion fees accrued are the responsibility of the customer.