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BAY-HOUSTON TOWING CO.

HARBOR AND COASTWISE TOWING



HOUSTON • GALVESTON • TEXAS CITY

CORPUS CHRISTI • FREEPORT

HOME OFFICE - HOUSTON

2243 Milford Street
P.O. Box 3006
Houston, Texas 77253-3006
(713) 529-3755
Dispatch: (281) 470-8053
Fax: (713) 529-2591

CORPUS CHRISTI

1420 Harbor Drive
P.O. Drawer 9488
Corpus Christi, Texas 78469-9488
(361) 884-9791
Fax: (361) 884-3640

GALVESTON

2201 Market St., Suite 802
P.O. Box 2360
Galveston, Texas 77553-2360
(409) 765-9381
Dispatch: (409) 744-5215
Fax: (409) 765-6955

FREEPORT

P.O. Box 2360
Galveston, Texas 77553-2360
(979) 233-2201



ABS
ISM Certified

E-Mail: tugs@bayhouston.com

www.bayhouston.com

Effective: November 1, 2008



The American Waterways Operators
**RESPONSIBLE
CARRIER
PROGRAM**

HOUSTON SHIP CHANNEL

ZONE 1 - TURNING BASIN AREA -includes the following terminals:

City Docks 1-48, New Terminal, Brady Island, Old Manchester, Valero, U.S. Gypsum, Manchester Terminal, HCC West, Westway II (Pacmol)

Docking or Off Docking \$1,568	Shifting to Tanker Area \$2,074
Shifting in Turning Basin Area \$1,743	Shifting to Jacintoport Area \$2,822

ZONE 2 - TANKER AREA - includes the following terminals:

Texas Petrochemicals, Lyondell/Citgo, Louis Dreyfus Elevator, Woodhouse Terminal #1, 2, & 3, Vopak-Galena Park, Kinder-Morgan Galena Park & Pasadena, Targa, Magellan, Crown, HCC East

Docking or Off Docking \$1,570	Shifting to Jacintoport Area \$2,623
Shifting in Tanker Area \$1,993	Shifting from Tanker Area to Turning Basin Area . . . \$2,074

ZONE 3 - JACINTOPORT AREA - includes the following terminals:

Greensport, AgriFos, Kerley, Chevron, Industrial Terminal, Bulk Material Dock, Greens Bayou, Ethyl, Georgia Gulf/Occidental, Aristech/ Houston Ammonia Terminal, TGS Deepwater, Shell, Oil Tanking, Enterprise, Stolthaven, Jacintoport Terminal, Care, Cargill, Inbesa, Houston Fuel, Intercontinental, Vopak Deer Park, Texas Terminals

Docking or Off Docking \$1,626	Shifting in Jacintoport Area \$2,459
Shifting to Tanker Area \$2,623
Shifting in this Area, one point to another on same dock \$2,088

ZONE 4 - BAYTOWN AREA - includes Cemex Terminal, all docks at Exxon and Barbours Cut

Docking or Off Docking \$1,629	Shifting to Jacintoport Area \$2,820
Shifting in Baytown \$1,951	

ZONE 7 - BAYPORT AREA - includes LBC and Odfjell

Docking or Off Docking, Turning Basin \$1,674	Shifting in Bayport, Turning Basin \$2,088
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ZONE 9 – BAYPORT CONTAINER TERMINAL

Docking or Off Docking, Container Terminal \$1,674	Escort in/out of Bayport (conventional tug) \$1,750
Escort in/out of Bayport (Tractor tug) \$2,903	Escort tug time exceeding 3/4 hours at \$1,845 per hour

When a special request for a specified horsepower tug is ordered and this tug has to transit from Houston to Texas City – Galveston or vice versa, 2 hours running time will be charged at the applicable rate.

Escorting wide body or deep draft vessels in Houston: \$1,845 per hour.

GALVESTON — TEXAS CITY

ZONE 1 – GALVESTON

Docking or Off Docking, at Galveston \$1,363	Shifting, Dock to Dock at Galveston \$1,704
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ZONE 2 – TEXAS CITY

Docking, Off Docking, at Texas City \$1,772	Shifting, Dock to Dock at Texas City \$2,028
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Galveston Bar to Bolivar Roads, per tug: Per hour or fractional part, running time chargeable \$875

FREEPORT

Docking or Off Docking \$2,099	Shifting, Dock to Dock at Texas City \$2,519
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When additional tugs are required in Freeport, running time is \$875 per hour per tug for conventional tug, \$1845 per hour per tug for tractor tug when specified.

CORPUS CHRISTI

ZONE 1 - MAIN TURNING BASIN - includes Cargo Docks, Oil Docks 1 & 2, Citgo #8, Koch #3

Docking or Off Docking\$1,436 Shifting in Main Turning Basin\$1,702

ZONE 2 - AVERY & CHEMICAL TURNING BASIN AREA - includes Koch #2, Citgo #1, Magellan (Oil Docks #4, 7, & 11), Texas Lehigh, ADM Elevator

Docking or Off Docking\$1,775 Shifting Avery or Chemical Turning Basin Areas ..\$2,307

ZONE 3 - BULK MATERIALS AREA - includes Bulk Handling Facilities 1, 2 & 3, Interstate Terminal, Valero Docks #2 & 3, Bay Dock, Citgo #3, Texas Dock & Rail

Docking or Off Docking\$2,425 Shifting in Bulk Materials Area \$2,902

ZONE 4 - KOCH REFINING AREA - includes Oil Docks #8 and #9

Docking or Off Docking \$2,884 Shifting in Koch Refining Area\$3,020

ZONE 6 - INGLESIDE - includes Koch and Gulf Marine Fabricators

Docking or Off Docking\$2,245 Shifting at Ingleside\$2,366

ZONE 7 - LA QUINTA - includes Kiewit, Occidental and Sherwin Metals

Docking or Off Docking\$2,576 Shifting at La Quinta\$2,602

SHIFTING CHARGES

Main Turning Basin to Avery Basin/Chemical Basin. \$2,126
Main Turning Basin/Avery Basin/Chemical Basin to Bulk Materials Dock \$2,847
(via Tule Lake). \$2,907
Main Turning Basin/Avery Basin/Chemical Basin/Bulk Materials Dock to Koch Refining. \$3,149

PROVISIONS & MISCELLANEOUS CHARGES

All rates quoted herein are to apply for a single tug. All towed vessels must furnish their own hawsers.

TONNAGE FEES: In addition to the above stated rates, vessels will be charged a fee for each 1,000 tons GRT (rounded to the next 1,000 GRT), per the following schedule: vessels up to 9,999 - \$2.00; vessels 10,000 to 19,999 - \$3.00; vessels 20,000 to 29,999 - \$4.00; vessels 30,000 to 39,999 - \$5.00; vessels 40,000 to 49,999 - \$6.00; vessels 50,000 to 59,999 - \$8.00; vessels 60,000 to 69,999 - \$10.00; vessels 70,000 to 79,999 - \$12.00; vessels 80,000 to 89,999 - \$14.00; vessels 90,000 - \$16.00 and above \$16.00. GRT used will be as listed by the current *Lloyd's Shipping Index*. Tonnage will not be charged on hourly work.

OVERTIME: An overtime rate of 35% will be added to the tariff rates for all work performed between the hours of 5 P.M. and 7 A.M., and also for work performed on Sundays and holidays and Mondays following holidays on Sunday. The overtime rate is to apply when service is started and/or completed in an overtime hour, starting time being the time tug leaves its duty station and completion time being the time tug returns to its duty station.

CANCELLATION: When a tug is ordered to render service and orders are cancelled after tug is *en route* from its duty station, a charge of \$650.00 will be made, except at Texas City and Ingleside where the charge will be \$830.00. These charges are subject to the overtime rate should it apply.

PULLING AND STANDBY TIME: Pulling on vessel aground or assisting dead ship will be 1½ times normal hourly rate.

Standing by or holding vessel in stream or alongside bank shall be at hourly rate. Both pulling and standby are chargeable in one-half hour increments. Overtime rates will apply.

ASSIST RATES: When assisting from Galveston Sea buoy to Morgan's Point and various points in Galveston Bay, or between Freeport Sea buoy and the Freeport Coast Guard Station or between Aransas Sea buoy thru points in Corpus Christi Bay and the Corpus Christi Harbor Bridge, and assist rate of \$875 per hour, plus overtime, if applicable, shall apply.

TRACTOR TUG: When services of a tractor tug are specifically required or requested by competent authority, or Pilots matrix, or when use of a tractor tug reduces the number of tugs ordinarily being used in the service being performed, a surcharge of 35% of the base rate shall apply except tethered escort at Bayport and additional tug to Freeport.

Rig rate (harbor): \$1,365 per hour. Overtime rates will apply.

All of the above rates except overtime are subject to a fuel surcharge, if imposed. Fuel surcharge not subject to discount.

Rates on Other Services on request.

An hourly charge specified above shall be \$1,845 when a tractor tug is requested or required.

Neither party shall be responsible for delays, failures or omission hereunder due to strikes, lockouts, labor disturbances, riots, fire, earthquakes, storm, lightning, epidemics, or war disorders.

The rates quoted herein, and the furnishing of tug power for harbor or other towage undertaken hereunder are founded on the consideration that this agreement shall not be construed to be a personal contract, and it is understood that

BAY-HOUSTON TOWING CO.

and the parties at interest with us shall have the benefit of the exemption from liability contained in the United States Limitation of Liability Statue, Title 46 U.S.C.A. 181 to 184, both inclusive.

The Bay-Houston Towing Co. offers to meet your vessels upon arrival at Houston, Galveston, Texas City Freeport, and Corpus Christi, and provide tugboat power for your vessels while in port, in accordance with towboat tariff shown herein and conditions named herein.

Should Bay-Houston Towing Co. tugs be not conveniently available for the required services, the said Bay-Houston Towing Co. shall have the right to designate or engage the tugs, and such other tugs and their owners or operators shall be covered by this contract as though they were Bay-Houston Towing Co. tugs.

Whenever any pilot goes on board a vessel to assist its movement or handling, he becomes and continues to be solely the servant, agent and employee of said vessel, and its owners and/or charterers in respect of all acts done by him or all omissions. All orders given by him to any tugs engaged in the movement or handling of said vessel, or in connection with any decisions made by said pilot as to the manner or method of handling said vessel shall be the responsibility of said pilot and the vessels owners and/or charterers. None of the tugs or their owners, agents, masters, servants, employees or charterers shall be responsible or liable for any act or omission of said pilot, or for any claims or damages caused by or resulting from any act, omission or order of said pilot.

This contract to become effective on the date shown above and to remain in force until _____ and to continue thereafter from year to year until cancelled by either party on an anniversary date of this contract. After written notice, rates named herein may be adjusted in the light of increase or decrease in operating expenses due to changes in laws or regulations and changes in working conditions or labor and labor costs in all branches.

BAY-HOUSTON TOWING CO.

By: _____

ACCEPTANCE

We accept the offer of the Bay-Houston Towing Co. for all tug power our vessels, or vessels operated for our account, unless otherwise bound by charter, may require at the Ports of Houston, Galveston, Texas City Freeport, and Corpus Christi, in accordance with the rates and conditions names in tariff herein.

All charges are net, except when services are performed under contract, then a discount of 10% is to apply on all tariff rates.

By: _____