

PORT EVERGLADES TARIFF NO. 12

ITEM: INSURANCE

ITEM NO: 805

ISSUE NO: 4

EFFECTIVE DATE: OCTOBER 1, 2009

The rates and charges published in this Tariff do not include any amounts for insurance coverage. Insurance required by the owner and/or consignee of cargo to protect their respective interests shall be carried by the owner and/or consignee.

All persons or firms leasing Broward County property and/or conducting business operations on Broward County owned land, in accordance with a franchise or business permit granted by Broward County, shall be required to provide evidence of insurance coverage. Such insurance must name the Broward County Board of County Commissioners as an additional insured on commercial general liability only (at no expense to Broward County) with the provision that such coverage will not extend to actions resulting from Broward County's own negligence. A certificate of such insurance must be provided to the Port Everglades Department, Business Administration Division and kept up-to-date in full force and continuous effect throughout the lease, permit or franchise period.

- All evidence of insurance shall be executed and filed with the Business Administration Division by the insurance carrier in a form or forms acceptable to the Port Everglades Department. The insurance carrier or company shall qualify and be authorized to transact insurance in the State of Florida pursuant to Chapter 624, Part III, Section 624.401 et seq., Florida Statutes, and be a participant in the Florida Insurance Guaranty Association. Any exceptions must be approved by Broward County.

For All Franchises

- Commercial General Liability - Single Limit Bodily Injury, Property Damage, Premises, Products/Completed Operations, Contractual Insurance, Broad Form Property Damage, and Independent Contractors \$1,000,000 per occurrence and \$1,000,000 per aggregate.
- Workers' Compensation and Employer's Liability per Florida State Statute \$100,000 minimum, each accident.

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For All Business Permits

- Commercial General Liability - Single Limit Bodily Injury and Property Damage \$500,000 per occurrence and \$500,000 per aggregate.
- Workers' Compensation and Employer's Liability per Florida State Statute, \$100,000 minimum, each accident.

For All Franchises and Business Permits except Marine Terminal Security Service:

- Automobile - Combined Bodily Injury and Property Damage Coverage in an amount not less than \$300,000 per occurrence.

For Marine Terminal Security Service:

- Automobile - Combined Bodily Injury and Property Damage Coverage in an amount not less than:
\$500,000 per occurrence

Evidence of such insurance is to be provided for each motor vehicle to be operated at Port Everglades under said franchise or permit. Such insurance shall not include a deductible. A certificate of self-insurance issued by the Florida Department of Highway Safety and Motor Vehicles pursuant to Chapter 324, Florida Statutes, is not acceptable evidence of insurance.

For Stevedore, Cargo Handler, Vessel Oily Waste Removal Service, Vessel Sanitary Waste Water Removal Service, and Vessel Bunkering Service Franchises

- U.S. Longshore and Harbor Workers' Compensation Act Coverage

For Tugboat or Towing Franchises

- Jones Act Coverage as required by Federal Law

For All Franchises (except Steamship Agent and Marine Terminal Security Service)

- Pollution Control/Clean-up Insurance - in the amount of \$1,000,000 per occurrence and \$1,000,000 per aggregate.

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For Marine Terminal Security Service Franchises

•Professional Liability - Errors & Omission (E&O) for companies employing firearms carrying security personnel (Class G security guards), including intentional assault and battery; false arrest, detention or imprisonment; (authorized or unauthorized), \$2,000,000 per occurrence and \$2,000,000 per aggregate. Maximum deductible is \$150,000.

•Professional Liability - Errors & Omission (E&O) for companies employing non-firearms carrying security personnel (Class D security guards), including intentional assault and battery; false arrest, detention or imprisonment; (authorized or unauthorized), \$1,000,000 per occurrence and \$1,000,000 per aggregate. Maximum deductible is \$150,000.

Insurance requirements for tenants operating pursuant to a valid written lease with Broward County are set forth in the respective lease agreements.