

LAKE CHARLES HARBOR AND TERMINAL DISTRICT

TUG BOAT PERMIT PROCEDURES

Tug Boat companies desiring to provide tug services to vessels utilizing the public wharves must file an application along with a check for \$1,200.00 as outlined under Item 676, Section Five, Miscellaneous Charges, in the Lake Charles Harbor and Terminal District Tariff No. 013 or the Tariff in place at the time and date the Lake Charles Harbor and Terminal District accepted the application, with the Executive Director or designee, and said application is subject to approval by the Executive Director. All Tug Boat companies permits issued are subject to the following conditions:

1. The Executive Director or designee shall be advised, in writing, as to party in charge of operations, the telephone number, and the address of the office.
2. The Tug Boat Company agrees to maintain its tugs and equipment in good condition and shall at all times comply with all provisions of the District's current Tariff.
3. The Tug Boat Company agrees to provide its own trash disposal and it shall comply with all provisions of the District's current Tariff and, particularly, with Item 195, and all applicable laws, rules, and regulations.
4. It shall be the full responsibility of the Tug Boat Company to ensure that its employees follow the safety rules, Facility Security Plan, Tariff, and other applicable rules and regulations of the District which are posted in the District's tariff and accessible at www.portlc.com.
5. Subject to reasonable direction and control of the District, Tug Boat Companies may from time to time temporarily use the docks and other facilities of the District to lay berth tugs while awaiting serving of vessels utilizing District docks or facilities. Prior to utilizing any facilities of the District or District-owned property, a Tug Boat Company shall notify the District's Harbor Police.
6. The Tug Boat Company recognizes and agrees that their use of the District's facilities is a limited privilege which carries the responsibility and liability of repairing and/or replacing all facilities and/or equipment owned or leased by the District and which are damaged and/or destroyed by the Tug Boat Company's employees. The Tug Boat Company also has the responsibility of reporting such damage and/or destruction immediately to the District's Harbor Police after an incident.

7. Tug Boat Company shall furnish to and maintain with the District, current Certificates of Insurance on their General Liability in the sum of \$2,000,000 aggregate combined single limit per occurrence and in aggregate. Automobile Liability in the sum of \$2,000,000 combined single limit per occurrence and in aggregate (bodily injury) and Automobile Liability in sum of \$2,000,000 each occurrence combined single limit per occurrence and in aggregate. (property damage). Employers Liability \$2,000,000/\$2,000,000/\$2,000,000 and Workers' Compensation as required by the State of Louisiana Statutory Limitations. All coverages and each certificate of insurance supplied shall provide for the District to be an "additional named insured" and provide for "waiver of subrogation" to the District. A copy of the endorsement and declaration pages to the policies as well as any other information requested by the Executive Director must also be provided. The District reserves the right to establish other minimum adequate coverage limits.
8. Any Tug Boat Company found not complying with these conditions willfully or through negligence shall be placed on notice to rectify the situation. Failure to do so will result in their permit to provide services to vessels utilizing District-owned properties, docks, or facilities being canceled thirty (30) days from the date of notice issued by the Executive Director or designee. No refund of any part of the payment, made with the permit application, will be made upon cancellation.
9. A valid permit holder will be allowed to move oil and diesel products for its consumption only without District supervision during normal District working hours.
10. A copy of all business licenses held by the applicant; including evidence of authority and approval to conduct business within the State of Louisiana.

The District must be notified of pending movements prior to docking.

These conditions are made a part of the Tug Boat Company Permit issued and attached thereto.

Terms and Conditions Accepted:
Tug Boat Company

By: _____
Officer

Print Name: _____

LAKE CHARLES HARBOR AND TERMINAL DISTRICT
PORT OF LAKE CHARLES
TUG BOAT PERMIT APPLICATION

In accordance with the provisions of Item 676, of the Lake Charles Harbor & Terminal District's Tariff No. 013 or the Tariff in place at the time and date the Lake Charles Harbor and Terminal District ("District") accepted the application, application is hereby made for a permit to operate as a provider of services at the District. In support of this permit application, the following information is submitted: (Additional pages may be attached hereto in responding to these questions and those additional pages will be considered a part of this application. **Please use the format attached for any additional pages.**)

1. Applicant's name: _____

2. (a) Applicant's principle physical and mailing business addresses:

(b) Telephone: _____
(c) Email address: _____
3. (a) Address at which books and records of Applicant are, or will be maintained:

(b) Telephone: _____
(c) Email: _____
4. (a) Applicant's form of business entity, viz: proprietorship, partnership, corporation, limited liability company, other (please describe):

(b) If corporation, State of incorporation: _____

- 5. (a) Names and positions of all officers or members of Applicant, and addresses, if different from No. 2 (a) above:

- (b) Names, addresses and nationalities of individuals and/or firms owning or having direct or indirect controlling interest in Applicant's business:

- 6. Have any owners or principal officers of Applicant ever been convicted of a felony of any type or violation of any narcotics laws? _____

If "YES", please describe in detail on separate sheet.

- 7. Has the company, person, agent or principals making this license application ever filed for bankruptcy? _____

If "YES", please describe in detail on separate sheet, including the designating date, court and cause number.

- 8. Is the company making this license application the same company that will perform the services as Licensee? _____. If not, explain in detail.

- 9. (a) Nature of Applicant's current business, if any, at the Lake Charles Harbor & Terminal District:

- (b) If Applicant's current business is different than the purpose of the licensee, please explain how Applicant will undertake this new endeavor (use separate sheet).

- 10. (a) Does the Applicant or other business related entity currently hold a license to perform the proposed service, or similar services, at any other port or place? (Please list the ports or places, effective dates of licenses and names of the related entities):

- (b) Has Applicant actually performed the service within the past six (6) months? _____

If "YES", state where and for whom services have been performed:

If "NO", state reason: _____

- 11. Customer, business and banking references (List names, addresses and telephone numbers): _____

- 12. Does Applicant presently have a permanent office in Calcasieu or Cameron Parish, Louisiana? _____

If "YES", please give the address, telephone number and email address:

- 13. If the Applicant's service will require employees, will the Applicant employ Calcasieu or Cameron Parish residents? If so, how many?

- 14. How many personnel does Applicant employ in other locations (where and number at each)? _____

- 15. The facilities of the Lake Charles Harbor & Terminal District are operated in an environmentally sound matter. Does the Applicant agree that to not handle, store or bring onto District property any substance considered hazardous under any federal, state or local law unless first receiving written approval of the District?

- 16. If the permit requested by this application is granted, will Applicant hold the Lake Charles Harbor & Terminal District harmless from claims arising out of any operation, in accordance with the Lake Charles Harbor & Terminal District's Tariff No. 012, Item 340 including all subsequent revisions and/or re-issues?

- 17. In the event this permit application is approved and a permit is granted, will the Applicant agree to abide by all the provisions of the Lake Charles Harbor & Terminal District's Tariff No. 013, including all subsequent revisions and/or re-issues? _____

- 18. Will Applicant notify the Lake Charles Harbor & Terminal District in writing within ten (10) working days of any change in the information supplied in this application?

I, the undersigned, declare that all contents of this application, including all attachments, are true and factual. I understand that any misrepresentation of information shall be grounds for immediate rejection of the application or revocation of the permit. I acknowledge the availability of a complete copy of the current District Tariff.

Signature: _____ Date: _____

Print Name: _____

Title. _____

Company's Name: _____

STATE OF _____

PARISH/COUNTY OF _____

PERSONALLY appeared before me, the undersigned authority, in and for the Parish/County of _____, State of _____ who, after being duly sworn, did say that he signed and delivered the foregoing instrument on the day and in the year therein mentioned as his voluntary act and deed and that he was authorized to do so on behalf of the Applicant.

THUS DONE AND SIGNED, this _____ day of _____,
20_____.

NOTARY PUBLIC
My Commission Expires:

PERMIT APPLICATION
Additional Information

Page ____ of ____

Date: _____

Applicant's Name: _____

Permit Desired: _____

REQUIRED ATTACHMENTS - (See Tug Boat Permits, Tariff No. 013, Item 676)

Check if Attached

ITEM

- _____ (1) A fully completed application form;
- _____ (2) The applicant's articles of incorporation or articles of organization, if any;
- _____ (3) A list of the applicant's full-time and part-time employees, including supervisors, who the applicant intends to employ at the District.
- _____ (4) Complete resumes or curricula vitae of the applicant's chairman, president, vice-president, chief financial officer and local business representative(s);
- _____ (5) A copy of the applicant's safety and training programs, including substance abuse policies or programs, if any;
- _____ (6) The applicant's most recent audited financial statement, balance sheet, or other documents which demonstrate its creditworthiness, financial responsibility, and resources, including credit references;
- _____ (7) A copy of all business licenses held by the applicant; including evidence of authority and approval to conduct business within the State of Louisiana.
- _____ (8) A list of all applicant's offices and business locations and a description of the type and volume of business conducted at each location;
- _____ (9) Insurance certificates (limits and coverage) as specified by the District. In addition to providing the required coverage limits, each applicant must also name the District as an "additional named insured" and grant a "waiver of subrogation" A copy of the endorsements and declaration pages to the policies and any other information requested by the Executive Director must be provided;
- _____ (10) A list of all pending litigation involving applicant or any related company, employee or official, describing the suit caption, number, place of filing, issue and amount (s) in dispute;
- _____ (11) A listing of all debts, secured or unsecured, describing the lender, amount of loan, current balance and any security as related with the debt; and
- _____ (12) The application fee of \$1,200.00 per year;
- _____ (13) Other information requested by the Executive Director.