

EXHIBIT A
Proposed text of Port Tariff #5 item amendments

New item in the Tariff

ITEM NO. 100 INDEMNIFICATION

Each and every person conducting activities on or using any wharf, port facilities, or other city property or to whom wharves, port facilities or other city property have been licensed or leased shall defend, indemnify and hold harmless the Port and City, and their agents, officers, directors, and employees against any and all claims, damage, injury and loss to persons or property arising from the activities, use or occupancy of the wharves, port facilities, or other city property by such person regardless of the active or passive negligence of the Port or City, excepting only claims, liability, damage or loss caused solely by the Port's or City's willful misconduct or gross negligence.

Amended(new underlined old strike)language to the
Tariff

ITEM NO. 111 DAMAGE TO CITY PROPERTY

(a) In the event any damage is done to any wharf, port facility, or other city property or to cargo or other property on such wharf, port facility, or other city property, the person or persons responsible for, causing, or in any way connected with such damage, and the person to whom the wharf or other property is licensed or leased, or by whom it is being used, and the master, owner, operator, or agent, of any vessel, vehicle, or other instrumentality involved in such damage, will give a full report to the Chief Wharfinger, or Wharfinger, giving the date and hour the damage occurred, the names and addresses or descriptions of witnesses and other persons, vessels, or instrumentalities involved in the damage, as well as all other pertinent facts and information that may be available.

(b) Any person causing, or liable for any damage, will be required to pay to the commission on demand the full cost of repairs, or to reimburse the Commission for the full amount of the damage.

~~(c) All persons to whom wharves or port facilities have been licensed or leased will be held responsible for any damage occurring to such property during their tenancy, unless such person secures and furnishes the commission with adequate information and evidence fixing the liability on some other responsible person; unless otherwise provided in the license or lease.~~

ITEM NO. 137 NON-LIABILITY OF SAN FRANCISCO PORT COMMISSION FOR LOSS AND DAMAGE

Neither the Commission nor the City of San Francisco shall be liable for loss or damage to any cargo in or upon, or moving or being moved over, in, through, or under any wharf or other structure or property owned, controlled, or operated by the Commission or the City of San Francisco, resulting from any cause whatsoever, including loss or damage which in any manner is caused by or results from the following: pilferage; animals, including rats, mice and other rodents; insects, including moths and weevils; shrinkage; wastage; decay; seepage; leaky containers; heating; evaporation; fire, or extinguishment thereof; explosion; leakage; discharge from fire protection system; dampness, rain, floods, freezing, frost or other action of the

elements; collapse of wharves, piers, or other structures; breakdown of plant, machinery ~~of or~~ equipment; floats, logs, or ~~piling~~ pilings required to breast vessels away from wharves; combinations; sabotage; insurrection, revolution, or war; riots; or strikes.
 Nothing herein shall be deemed to relieve the Commission from liability for loss or damage to goods or property it may have by law as the result of its own negligence.

Tariff rate amendments with: new rates in Italics

WHARFAGE AND STORAGE RATES

ITEM NO. 242

1. Yachts, sailing boats, and pleasure craft
 per 1 cubic meter 4.41
 Subject to NOTE.
2. Yachts, sailing boats and pleasure craft when
 not manifested as cargo and handled directly
 between wharf and water,
 per 1,000 kilograms. 7.11
 Subject to NOTE.
3. Yachts, sailing boats and pleasure craft
 (float on/float off) per 1,000 kilograms. 4.53
 Subject to NOTE.

NOTE: When shipped in cradles or on trailers
 the dimension of the cradle or trailer shall be
 included in the overall measurement.

ITEM No. 260

Cargo, as listed, per ton of 1000 Kilograms:

(See Notes A & B)

NOTE A: Cargo indicated, carried in cargo
 vans or containers, manifested on a per
 container basis, not more than one
 commodity per container, subject to a
 minimum charge per container as follows:
 Containers

0 - 7 meters	Each 82.95 <u>166.46</u>
Over 7 meters	Each 165.90 <u>250.90</u>

NOTE B: Cargo, as listed, when manifested
 on a per container basis, when weight is not
 available, see Item 270

ITEM NO. 270

Cargo, N.O.S., moving in containers,
 manifested on a per van or per container
 basis, based on overall length:

0 - 7 meters	Each 139.65 <u>166.46</u>
Over 7 meters	Each 279.30 <u>285.38</u>

NOTE: Rates apply only when either, or both,

weight and measure of cargo are not available.
 When both weight and measure are available,
 Item 237 applies.

ITEM NO. 285

- 1. *Vehicles (Import/Export) Automobiles, pleasure or passenger, including pickup trucks or chassis, set up on own wheels, not exceeding ten (10) passengers, per vehicle* 24.00

- 2. *Commercial vehicles, light and medium weight (Up to 26,000 lbs. gross vehicle weight) including trucks and truck chassis, freight trailers, freight semi-trailers, and agricultural, earth moving or road making equipment, per ton of 1,000 kilos.....* 18.38

- 3. *Commercial vehicles, heavy weight (Over 26,001 lbs. gross vehicle weight) including trucks, trailers, chassis, freight trailers, freight semi-trailers and agricultural, earth moving or road making equipment, per ton of 1,000 kilos* 20.63

NOTE 1: When boxed or crated,
 Cargo N.O.S. rates will apply.

ITEM NO. 355 WHARF STORAGE - COMMODITY RATES

Wharf Storage - Commodity Rates are in cents per 1000 Kgs., except as otherwise shown.

COLUMN A Daily Storage Rates, per day or fraction thereof, Saturdays, Sundays and Holidays inclusive.

COLUMN B Monthly Storage Rates, per month or fraction thereof.

<u>COMMODITY</u>	<u>COLUMN</u>		
	<u>A</u>	<u>B</u>	
Vehicles, Motor, self-propelling, viz.: (See Exception)			
Automobiles, Pleasure, Passenger, Commercial, or Freight, including chassis, Freight trailers or freight semi-trailers, not boxed or crated, (When boxed or crated, Cargo, NOS rates will apply) When discharged or loaded to a vessel per vehicle.			
(a) When stored in closed areas.....	297	6534	<u>.85</u>
(b) When stored in open areas.....	107	NIL	<u>.85</u>

*Automobiles, Pleasure, Passenger,
 Commercial, or Freight, including*

*chassis, Freight trailers or freight
semi-trailers, when not
discharged or loaded to a vessel
per vehicle*

(a) When stored in closed areas.....	<u>2.30</u>	<u>n/a</u>
(b) When stored in open areas.....	<u>5.85</u>	<u>n/a</u>

Exception: Does not include agriculture,
earth moving, or road making equipment.