

INTERNATIONAL PERSONAL PROPERTY RATE SOLICITATION I-14

CHAPTER I - POLICY

Item 100

Purpose

This solicitation provides guidelines, rules, regulations, and other information required to participate in the movement of personal property worldwide. Any changes or items of particular significance unique to each volume may be included by page changes in the rate solicitation letter for each cycle. Carriers filing rates in response to this solicitation must submit rates in accordance with the procedures outlined in Chapter 19, Rate Filing Instructions, of this solicitation.

Item 101

Application and Scope

This solicitation is applicable to Department of Defense (DOD) approved carriers eligible to transport household goods (HHG), unaccompanied baggage (UB), and boat shipments between designated rate areas in international through Government bill of lading (ITGBL) service, including intertheater and intratheater shipments but not intracountry shipments.

Item 102

Authority

Under responsibilities assigned to the Commander, Military Traffic Management Command (MTMC), in DOD Directive 4500.9R, HQMTMC is responsible for the negotiation of rates worldwide for shipment of HHG and UB. The rates are solicited on behalf of the entire DOD, including civilian-appropriated and nonappropriated fund employees, and the U.S. Coast Guard. HQMTMC has delegated the negotiation of certain intratheater rates to the United States European Command (USEUCOM).

Item 103

Industry Rate Submissions

Due to the large volume of rate filings, rates are submitted to HQMTMC via File Transfer Protocol (FTP) in accordance with the rate filing instructions outlined in Chapter 19. When warranted, rates may be manually solicited subject to all other terms, conditions, and procedures specified in these instructions and in specific solicitation letters. Carriers will not submit for review data concerning their rates or FTP file to HQMTMC in advance. Given the magnitude of the rates submitted and the processing involved, HQMTMC must decline any request for such review. If such data or request is received by HQMTMC, it will not be acted upon. HQMTMC may, however, grant carriers/ADP firms one additional opportunity, within 4 working hours after notification by HQMTMC, to submit a new FTP file if the original file fails to process or a complete loss in transmission is proven. HQMTMC will produce a summary of rates submitted on each initial filing file submitted for analysis and identification of any major problem, such as a wrong standard carrier alpha code (SCAC), rejection of total rate field, etc. HQMTMC does not guarantee all rejections and/or errors will be identified through this initial analysis.

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Time of Submissions

These dates represent the receipt cutoff times for carrier submissions to be considered responsive to the applicable solicitation. Submissions, in response to any designated filing date in the solicitation letter, must arrive at the anonymous FTP file at HQMTMC prior to 12 a.m. (midnight) eastern time on the designated date. If the date falls on a Federal holiday, the designated date will be the next Government workday.

Item 105

Emergency Services

a. Notwithstanding any other provision of this rate solicitation, carriers may be requested to provide equipment, personnel, and services not described herein as may be required to accommodate surges to the Government's requirements. These requirements may materialize in the event of a declaration of war, national emergency, natural disaster, or other unforecasted contingency of a military or humanitarian nature. HQMTMC may, at any time, negotiate with carriers to make changes in writing or orally (to be formalized in writing) to the work ordered that is within the general scope of this rate solicitation, with compensation mutually agreed upon by HQMTMC and the carriers involved. Changes may include, but are not limited to:

- (1) terms and conditions of the rate solicitation, such as tonnage increases or extended delivery areas;
- (2) method or manner of performance of the work, to include extending operating hours;
- (3) acceleration in the performance of work.

b. Any other written or oral order from any source other than as directed by HQMTMC that causes a change shall be considered only after the carrier gives HQMTMC written notice stating the date and circumstances, and the source of the order. The carrier may process the change, as set forth below, upon approval by HQMTMC.

c. Except as provided in this provision, no order, statement, or conduct of any transportation official shall be treated as a change under this provision or entitle the carrier to an equitable adjustment. No proposal by the carrier for an equitable adjustment shall be allowed if asserted after final payment.

d. Billing. Linehaul and accessorial charges under this provision will be billed at the levels agreed upon under Item 105a. In cases where there is insufficient time to reach prior agreement on charges, the Government is to make an equitable adjustment in charges upon receipt of the carrier's billing, documenting the charges and costs for services as verified and approved by the personal property shipping office. The carrier will provide the personal property Government bill of lading (PPGBL), carrier waybill, and any other supporting documentation. The PPGBL must contain the statement and/or entry:

"These charges are in accordance adjustments or negotiations for services authorized by HQMTMC message/letter dated _____, subject: _____, Item/Rule Number _____, Publication Number _____."

Item 106

DOD Peacetime and Contingency (VISA) Sealift Requirements

a. The Secretary of Defense has approved the Voluntary Intermodal Sealift Agreement (VISA) as a sealift readiness program for the purpose of Section 909 of the Merchant Marine Act of 1936, as amended (46 App. U.S.C. 1248)

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b. The objective of VISA is to provide DOD a coordinated, seamless transition from peacetime to wartime for the acquisition of commercial sealift and intermodal capability to augment DOD's organic sealift capabilities.

c. VISA is designed to create close working relationships between the Maritime Administration (MARAD), U.S. Transportation Command, and participants through which contingency needs and the needs of the civil economy can be met by cooperative action. During contingencies, participants are afforded maximum flexibility to adjust commercial operations by Carrier Coordination Agreements (CCA), in accordance with applicable law.

d. Carriers filing rates in response to this solicitation must comply with the Voluntary Intermodal Sealift Agreement (VISA) priorities listed below for the ocean portion of the overall movement. For the purpose of this item, to allow VISA participants the first opportunity to directly meet DOD requirements, the underlying ocean bill of lading must be issued by a VISA participant to qualify for priorities (1), (3), and (5).

(1) U.S.-flag vessel capacity operated by a participant and U.S.-Flag Vessel Sharing Agreement (VSA) capacity of a participant.

(2) U.S.-flag vessel capacity operated by a non-participant.

(3) Combination U.S./foreign flag vessel capacity operated by a participant and combination U.S./foreign flag VSA capacity of a participant.

(4) Combination U.S./foreign flag vessel capacity operated by a non-participant.

(5) U.S.-owned or operated foreign flag vessel capacity and VSA capacity of a participant.

(6) U.S.-owned or operated foreign flag vessel capacity and VSA capacity of a non-participant.

(7) Foreign-owned or operated foreign flag vessel capacity of a non-participant.

Item 107

Acceptance of Rates - Option to Extend or Modify

a. HQMTMC reserves the right to reject any or all offers; to waive informalities and minor irregularities in offers received; to negotiate, accept, or reject initial or subsequent submissions without discussion of rates; to nonuse or cancel any rate upon 15 days notice; and resolicit rates. Additionally, HQMTMC reserves the right, on 15 days notice, to:

(1) extend the effective period of rates by 45 days to modify the rate filing period;

(2) change the type of rates being solicited;

(3) resolicit rates as the result of Government or carrier actions;

(4) take any appropriate actions to protect the Government's interests in response to delaying court injunctions, data processing failures, strikes, embargoes; and other policy or economic situations.

b. Initial rate submissions should be based on the most favorable terms to the Government from a price and service standpoint.

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c. It is HQMTMC's sole intent to solicit responsible rates prepared in accordance with sound business decisions. Rates which would jeopardize financial viability of a carrier are not desired.

d. Individual rates should be constructed to stand alone without regard to rates for other channels. Carriers are encouraged to file rates only between those areas where they desire to serve.

e. Filing administrative rates during the initial filing (I/F) period, with no intention to me-too (M/T), only increases workload for all concerned, as rates may be removed during the M/T filing cycle.

f. This solicitation stands alone and is not influenced by prior practices or procedures. It may be modified only by the Assistant Deputy Chief of Staff for Operations, Transportation Services, by letter or electronic means.

Item 108 *Release of Cost Data*

Proprietary rate and cost data, submitted by carriers upon request of HQMTMC, is not releasable under the Freedom of Information Act.

Item 109 *Carrier Correspondence*

Carriers are prohibited from distributing, or having distributed on their behalf, any international HHG or UB tariffs or tenders to personal property shipping offices (PPSOs). Carriers are also prohibited from distributing any correspondence dealing with information in conflict with ITGBL program instructions furnished to PPSOs.

Item 110 *Sources of Assistance*

In the event of problems or questions relative to these instructions, PPSOs should first contact MTMC or designated representative overseas. Problems not resolved at these levels will be elevated to HQMTMC.

<u>AREA</u>	<u>OFFICE</u>	<u>DSN</u>	<u>COMMERCIAL</u>
MTMC-Pacific	MTPP-P	456-3741	(808) 656-3741
MTMC-Europe	MTMC-E	314-430-8248	011-49-711-680-8248
HQMTMC	MTPP-PP-R	328-3282	(703) 428-3282
	MTPP-PP-O	328-3284	(703) 428-3284

Item 111 *Recommendations*

Recommendations for proposed changes are welcome and will be considered for future application. PPSO recommendations may be forwarded to HQMTMC, ATTN: **MTPP-PP-R or designated MTMC representative overseas.**