# CHAPTER III - ADMINISTRATIVE REQUIREMENTS

Item 300 **Rate Filing Prerequisites**

Except as provided below or in solicitation letters, a carrier must have satisfactorily completed the following administrative requirements to participate in the rate filing cycle:

a. Rate Area Approval: Carriers receive rate area approval, by code of service between CONUS and controlled overseas rate areas listed below, for which rates will be submitted. Carriers desiring to provide service for intertheater or intratheater shipments must be approved for both origin and destination areas in appropriate codes of service. A carrier must be approved in a given code of service to one or more controlled areas to be eligible to provide such code of service to and from any uncontrolled area. Carriers with Code J baggage approval will have their approval automatically extended for Codes 7 and 8. Carriers with Code 4 HHG approval will have their approval automatically extended for Code 3, 5, 6, and T. Approval for UB or HHG codes is automatic with the exception of those carriers in CFAC. To be eligible to receive traffic for the entire rate cycle, a carrier must maintain its carrier approval for each code of service throughout the entire period of the cycle. All carriers not previously approved for baggage or HHG to controlled overseas rate areas and for already approved carriers requesting additional approval, the deadline for submission of documentation is 7 months prior to the cycle the carrier intends to begin participation. Timely submission is essential to permit administrative processing. Requests for approval must be supported by any necessary rosters, operating authorities, etc., and documents submitted must be complete and correct. Incomplete applications will be returned to the carrier. Requests may be resubmitted when all supporting documents have been prepared, as required. The controlled rate areas are:

| | | |
|---|---|---|
| Australia | Italy | Puerto Rico |
| Azores, The | Japan-Central | Sardina |
| Belgium | Japan North | Sicily |
| Crete | Japan South | Spain |
| Germany | Korea | Turkey |
| Guam | Netherlands, The | United Kingdom |
| Hawaii | Okinawa | (England and Wales) |
| Iceland | Portugal | |

b. Letters of Intent (LOIs):

(1) To participate in international traffic, a carrier must have an accepted LOI listing an agent/agents providing origin and destination services at every overseas PPSO to cover the entire rate area for which rates are filed. For installations covering an area in a neighboring state, the carrier's LOI must indicate whether the service will be for "all" of the PPSO's area or specifically indicate the area to be served. For example, an LOI at JPPSO Ft. Belvoir may indicate "this letter of intent is applicable to your operating area(s), all" or "this letter of intent is applicable to your operating area(s), VA and DC." The second choice excludes MD and WV, also parts of the area of responsibility of the JPPSO. It is the responsibility of the carrier to file and ensure acceptance of LOIs at all installations within the rate area for which a rate is submitted. LOIs will be filed in accordance with the requirements herein and not later than the I/F designated date specified in applicable solicitation letters. LOIs previously filed with, and accepted by, PPSOs remain valid for current and subsequent solicitations to the extent the agent list is

current. Carriers not receiving notification of LOI acceptance from PPSOs within 10 days of the estimated date of receipt should contact the PPSO concerned to verify receipt and acceptance or rejection. While coordination between PPSOs and carriers/agents is essential to assure all carriers are afforded maximum participation opportunity, the responsibility for having an LOI accepted by the established deadline rests solely with the carrier. Unreasonable delays, beyond the control of the carrier, should be brought to the attention of MTPP-HR by telephone or message. The names, addresses, and responsible areas for all PPSOs are included in Chapter XIV. LOIs requiring amendment for new agents, address changes, telephone number changes, etc., must be so amended as required. The LOI change must be clearly marked, replacement or new, whichever is applicable.

(2) Carriers understand that:

(a) LOIs, accepted and on file by the applicable I/F designated date, will remain on file at each installation and may not be withdrawn for a minimum of 2 months from the effective date of the rates.

(b) The practice of filing rates without valid LOIs is viewed as a violation of its obligation to participate in international traffic. Carriers found in violation may be placed in nonuse into and out of the affected rate area under the provisions of MTMCR 15-1. Further, repetitive occurrences could result in worldwide nonuse or disqualification under the same regulation.

(c) If a carrier files rates from:

1 A CONUS origin area but fails to have an acceptable LOI on file at each PPSO responsible for that rate area, the carrier will be placed in nonuse for all ITGBL traffic originating from that rate area.

2 Overseas origin areas but fails to have an acceptable LOI on file at each PPSO responsible for that rate area, the carrier will be placed in nonuse into and out of that rate area. If a repetitive pattern is evident, approvals may be indefinitely withdrawn.

(d) When a carrier loses an agent before or during applicable rate cycle where rates have been filed, but fails to obtain a new agent within the prescribed time period, the carrier will be placed in nonuse as specified below:

1 CONUS: Placed in nonuse from the origin rate area(s) served by the affected PPSO.

2 Overseas: Placed in nonuse into and out of the entire origin rate area(s) served by the affected PPSO.

(e) If a carrier's LOI is returned before rates are published, the rates submitted for the affected channel will be removed. Return of the carrier's LOI after the initial filing of the upcoming cycle will result in nonuse and preclude participation for the current cycle as well as the succeeding cycle.

c. Agency Approvals: Agencies must be properly qualified by DOD representative as provided in the DOD 4500.9-R, Defense Transportation Regulation (DTR), Part IV.

d. Common Financial and/or Administrative Control (CFAC) Policy: ITGBL carriers are required to declare CFAC relationships. Carriers in CFAC may be approved in the same rate channel, but not in the same code of service to a destination rate area. Carriers failing to disclose CFAC relationships in accordance with the Certificate of Carrier Responsibility or misrepresenting their company in compliance with the certificate may be removed from the DOD Personal Property Program at the discretion of the Commander, HQMTMC.

e. Performance Bond:

(1) To obtain and maintain DOD approval, ITGBL carriers will provide a performance bond. The bond is required to protect the Government against potential financial damages and to forestall interference with the mission of the Government to effect timely delivery of shipments. The surety company executing the bond must appear on the list contained in the Department of Treasury Circular 570, "Surety Companies Acceptable on Federal Bonds." The sum of the bond shall be $100,000 or 2.5 percent of the gross annual revenue of the carrier, derived from ITGBL traffic for the previous fiscal year, whichever is greater.

(2) The bond is continuous until cancelled by the carrier or surety company. New carriers will submit a bond 30 days prior to the cycle they begin participation, (e.g. March 1 for April 1 cycle, or September 1 for October 1 cycle). Cancelled bonds must be replaced, effective close of business on the date of the cancelled bond in order to maintain DOD ITGBL approval. Loss of bond will result in automatic revocation of DOD ITGBL approval.

(3) New carriers are required to advise MTOP-Q, in writing, of their intent to secure a bond to become eligible to participate in future cycles. This notification must reach MTOP-Q, 6 months prior to the effective date (October 1 or April 1) of the rate cycle. The actual bond must reach MTOP-Q no later than March 1 or September 1 preceding the effective date of the cycle. Failure to submit an acceptable bond by this date will result in the revocation of DOD ITGBL approval. Bonds will be at no expense to the Government. The amount of the initial bond shall be $100,000.

Item 301 ***No HQMTMC Accepted Rate***

a. **Cancellations**: When a carrier has no effective rate on file due to cancellation, the carrier is responsible for refusing shipments offered for a traffic channel. Acceptance and movement of a shipment by the carrier over such traffic channels under a PPGBL shall constitute an agreement by the carrier to perform the transportation services at the original rate filed by the carrier. Carriers must file a tender under OTO procedures to cover any shipment moved after the original rate is cancelled.

b. **Rate Not Filed**: When a carrier accepts a shipment over a traffic channel where the carrier did not file a rate, the carrier will move the shipment at the lowest prevailing rate for the traffic channel. Carrier will file an OTO tender to cover shipments moved under these conditions.

Item 302 ***Special Rate Filings***

HQMTMC reserves the right to initiate modified and/or special negotiations, in manual or automated formats, at any time commensurate with requirements. Unique rate filing procedures may be required in those instances where normal automated procedures are not appropriate due to particular circumstances existing at the time. Methods for administratively processing such situations will be provided in the special solicitation instructions. OTOs and volume moves are examples of such filings.

Item 303 ***Acquisition of New Agents***

Carriers losing agents and failing to obtain new agents within 45 days are precluded from further participation in the rate cycle from the affected CONUS origin rate area. Loss of an agent in an overseas country will preclude participation to and from the affected rate area.

Item 304 ***Criteria for Eligibility as Small Disadvantaged Business Concern for the Purpose of Transportation Service Acquisition***

For the purpose of transportation service acquisition, the term "disadvantaged" refers to socially and economically disadvantaged individuals as defined below:

a. Socially disadvantaged individuals are those U.S. citizens who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities.

b. Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same line of business and competitive market area who are not socially disadvantaged. Socially and economically disadvantaged individuals are defined as "Black Americans, Hispanic Americans, Native Americans (includes American Indians, Eskimos, Aleuts, and Native Hawaiians) Asian-Pacific Americans, and other minorities found to be disadvantaged by the Small Business Administration."

c. To qualify as a small disadvantaged business, a concern must be a small business concern with at least 51 percent of the stock owned by one or more socially and economically disadvantaged individuals; or a publicly-owned business with at least 51 percent of the stock owned by one or more such individuals. Management and daily business operations must be controlled by one or more socially and economically disadvantaged individuals.

Item 305 ***Filing with Regulatory Bodies***

Carrier(s) certifies (certify), where required, the requisite number of copies of this solicitation is being filed concurrently with the Surface Transportation Board, in accordance with the Interstate Commerce Act, or with other regulatory agencies, as appropriate.

Item 306 ***Compensatory Rates***

a. Rates submitted will be filed in compliance with the policies and procedures of this solicitation and applicable solicitation letters. Carriers should evaluate each rate filed to ensure that quality service can be provided at that rate. Rates will be filed only between those rate areas where the carrier desires to serve. The carrier certifies the ability and willingness to perform at the rates listed for each rate channel, for a minimum of 2 months, from the date of acceptance irrespective of the acceptance of any other rate submitted by the carrier. Carriers are reminded service must be to the entire rate area and not just the area immediately surrounding the installation. Carriers filing rates and refusing to serve the entire rate area may have their approval for the area withdrawn.

b. Carrier rates filed during the filing cycle must be honored for a minimum of 2 months irrespective of any action carriers may take to cease operations after the filing date (bankruptcy excluded). HQMTMC may initiate setoff action or seek recourse against surety for any increased expenditures to the Government, such as reprocurement costs for transportation services, resulting from a carrier failing to honor its rates for the prescribed minimum periods.

Item 307 ***Independent Pricing Action***

By offering rates for services to the United States Government, the carrier official certifies the understanding and continued compliance with the previously executed Certification of Independent Pricing incorporated hereto by reference. The executed Certification of Independent Pricing is on file in the carrier's qualification file as an attachment to the carrier's Tender of Service.

Item 308 ***Agent Representation***

a. Facilities: 2,000 cubic feet of storage space are required for each carrier represented up to a minimum of 8,000 cubic feet for four or more carriers.

b. Vehicular Equipment: Two vehicles are required. One must be a weathertight van of at least 1,000 cubic feet of capacity and one open bed vehicle with a minimum length of 16 feet.

c. Lifting Devices: One mobile lifting device with a minimum lifting capacity of 4,000 pounds.

d. Packer/Warehouseman/Driver: A minimum of two qualified personnel must be maintained on a regular basis for the first carrier represented. To represent two to four carriers, the agent must maintain three qualified people. To represent more than four carriers, additional personnel requirements will be based upon the agent's ability to provide responsive service. It is the responsibility of the carrier and agent to determine what is necessary to provide responsive, quality service. Agents are subject to performance action if the PPSO determines them to be nonresponsive in providing service.

e. Administrative: The agent's office will be manned at all times during normal working hours with personnel authorized to book shipments or otherwise perform services for the carrier. One employee, with such authority, is required for one to three carriers represented. One additional employee with such authority, is required when more than three carriers are represented. A total of two administrative personnel are required to represent four or more carriers.

f. Location of Agent: An agent may be located either within or outside the PPSO area of responsibility. Acceptance or nonacceptance will be based on whether the agent can provide responsive service. The PPSO has the authority to determine if the agent is responsive.

g. Limitation or Reduction of Representation: The PPSO may limit or reduce the number of carriers an agent may represent to a number the PPSO determines the agent has the capacity to serve. Limitation or reduction of agent representation must have concurrence of the cognizant MTMC area command or overseas representative.

h. Agency Agreements: The carrier will contractually bind its agents with a formal written document (and, as necessary, official translation into English) concerning solicitation terms and requirements and will provide specific instructions for implementing them prior to the effective date of the rates.

i. Use of Subagents: Carrier's LOI will list all agents employed indicating their functions and the areas served, e.g., booking agent/rate area. A copy of all agency agreements, in force between the carrier and agent(s), will be provided the PPSO.

Item 309 ***Use of General Agents***

The use of general agents will be restricted to very limited situations. A general agent will not engage in operations for the purpose of booking shipments. Carriers having more than one agent serving an overseas PPSO may use a booking agent provided the agent operates solely within the confines of the defined area of responsibility of the PPSO and further provided the booking agent is a DOD-approved local working agent. PPSOs, however, may waive the agent location per Item 308 above provided the agent is a local working agent and can provide responsive service acceptable to the PPSO concerned.

Item 310 ***Selective Use of Code 5/Direct Procurement Method (DPM)***

Based on evaluations of traffic flow and port agent reports, HQMTMC may elect to alleviate commercial port congestion or resolve other traffic management problems by directing the selective use of Code 5 and DPM service, as necessary. If utilized, HQMTMC will normally provide sufficient advance notice of conversions to permit affected carriers to prepare to handle shipments. The following procedures would apply: PPSOs would be directed to route a specified percentage of all shipments in Code 5 and DPM service over selected channels. When Code 5 is directed, the specified percentage of the tonnage would be distributed to the low-cost Code 5 carrier(s) at the identical primary percentages established for Code 4 traffic.

Item 311 ***Acceptance of Government-Owned Containers (GOCs)***

When the carrier is out of containers and cannot or refuses to purchase them locally, carriers will be required to accept usable GOCs offered by the PPSO. When carriers use GOCs, the SFR will be reduced in accordance with Chapter V. The carrier must also notify the destination PPSO at the time of notification of arrival when the shipment contains a GOC. Failure to accept GOC may result in placement of carrier in nonuse into and out of the rate area concerned.

Item 312 ***Suspensions***

If a carrier is suspended from a given installation for a violation on an international HHG shipment, the suspension will apply for all international HHG shipments moving under both competitive and noncompetitive rates. Likewise, if a carrier is suspended from a given installation for a violation on an international UB shipment, the suspension will apply to all international UB shipments moving under both competitive and noncompetitive rates. A suspension which extends into a new traffic distribution period will remain in effect until such time as the transportation officer is satisfied the carrier has taken necessary action to preclude the recurrance of those problems which gave rise to the suspension.

Item 313 ***Disqualifications***

HQMTMC disqualification may be imposed in accordance with the **DOD 4500.9R**, DTR, and/or HQMTMC Regulation 15-1.

Item 314 ***Intra-European Theater Rates***

Both HQMTMC and the 598th USATTG solicit rates for movement of containerized HHG. These solicitations are based on the same I/F designated date. The 598th USATTG, Inland Theather Transportation directorate, personal Property Division, will make a cost comparision between the two solicitations and inform HQMTMC who will, in turn, notify any CONUS carriers establishing the low rate. Since intra-European theater rates are solicited as Class 1 rates, the low rate setter will receive 100 percent of the containerized shipments moving in these traffic channels. The low containerized rate will be compared against other methods of shipments by 598th USATTG in its rate solicitation intra-European shipments. This guide is distributed to all European PPSOs. Carrier's SFR submissions should include any anticipated currency fluctuations.

Item 315 ***Combination Intertheater Codes T/4 and T/5 Rates***

Combination rates between Pacific and European theaters will not be solicited. All Code T rates will be solicited as through rates. (See Item 317 below.)

Item 316 ***Intertheater Code 5 Shipments***

The Government will be responsible for over CONUS movement of intertheater Code 5 shipments moving between intertheater rate areas. Carriers will not be required to provide the linehaul movement between CONUS ports for these intertheater shipments, and carrier's SFRs should not include CONUS overland transportation costs.

Item 317 ***Intertheater Codes J and T Shipments***

The carrier will be responsible only for origin and destination services and delivery to and from the appropriate aerial port. Delivery to the port will be accomplished on the Required Port Delivery Date (RPDD) reflected on the GBL for Code J shipments. The Government will be responsible for routing between APOE in one theater and APOD in another theater. The carrier's SFRs should not include CONUS overland transportation costs.

Item 318 ***Fire Control Systems in Overseas Warehouses (European Theater Only)***

Carrier/agent facilities located in the European theater and approved to store DOD Personal Property must meet the following minimum standards:

a. A supervised/unsupervised fully automatic sprinkler system or a supervised fire detection and reporting system (heat or smoke detector). A supervised system is defined as a system that is connected to and/or monitored by a full-time operation fire department.

b. Fire prevention and detection systems shall be properly maintained and inspected at least semiannually.

c. Personal Property warehouses will have access to an adequate source of water for firefighting purposes and must be supported by a responsive fire department.

Item 319 ***Tonnage Requirements***

a. Incentive Channels: Carriers establishing the low rate must accept the actual traffic up to the designated share indicated for each traffic channel. Each traffic channel consists of all tonnage moving between PPSOs located within the applicable rate areas. Each PPSO is responsible for distributing tonnage, in accordance with percentages provided, to ensure total traffic between rate areas is properly awarded. In rate areas where traffic is handled by more than one installation, each installation must award traffic originating from its installation to any specific rate area so the prime carrier receives its designated
share from the rate area to the destination rate area. The carrier will commence complete service on the effective date of the solicitation. Complete service must be provided on 100 percent of the HHG and UB traffic offered to and accepted by the carrier at those installations where rates are on file. This includes the requirement to position or to purchase adequate numbers of containers at each origin. The service provided under these terms and conditions is in addition to service provided on Class 3 traffic routes and codes of service. Failure to provide service, as evidenced by a pattern of selectivity as to shipments accepted, or repeated refusal of shipments for any reason, including the failure to position containers, will subject the carrier to withdrawal of approval for the rate area. Furthermore, such refusals may reflect on the responsibility and eligibility of the carrier for future filing cycles. When such action is instituted by HQMTMC, approval will not be reinstated until the carrier can provide satisfactory evidence of its ability and intention to service rate filings.

b. Class 1 Rates: Carriers filing Class 1 rates, however not the low rate, must be prepared to accept 100 percent of the traffic offered in case the primary carrier cancels its rate, is placed in nonuse, etc.

c. Class 2 Rates:

(1) Carriers filing a Me-Too, Class 2, low rate will be considered equalization carriers. The primary carrier will be offered actual tonnage equal to the primary percentage indicated. The remainder of the tonnage will be considered residual and will be shared equally between the primary and equalization carriers. Equalization carriers refusing shipments offered within the residual traffic limit, as outlined in Item 1704, will be subject to suspension and/or other appropriate action. If the primary carrier cancels rates, then all tonnage is divided equally between the equalization carriers to the maximum extent possible prior to offering traffic to other participating carriers.

(2) If all equalization carriers cancel their rates, then all tonnage will be offered to the primary carrier prior to any offer being made to a participating carrier. Should the primary carrier refuse the tonnage, then tonnage will be offered to the participating carriers in rate level order.

(3) Carriers filing Class 2 rates other than the low rate (participating carriers) agree to accept tonnage as indicated below:

| Channel | Not Less Than |
|---|---|
| 50 percent | 12 percent |
| 30 percent | 7 percent |
| 20 percent | 5 percent |
| 10 percent | 2 percent |

d. Class 3 Rates: All carriers equalizing the low rate will share equally in traffic distribution.

Item 320 ***Shipment Routings***

a. Codes 4, 6, 7, and 8 shipments moving between CONUS and overseas rate areas will be open routing; however, carriers are required to meet DOD performance standards irrespective of routing actually used. In this respect, carriers are cautioned to avoid routings through ports which historically become congested during peak shipping months with the resultant frustration of DOD shipments. Shipments (Codes 5 and T) entering the Defense Transportation Service (DTS) will be routed as indicated on TCMD.

b. Code 3 ocean routings will be via designated West Coast ports.

Item 321 ***Pickup Requirements***

Carriers will be provided at least 5 working days advance notice when tendered shipments. The carrier and PPSO will agree to a pickup date. Under unusual circumstances, carriers may agree, but are not obligated, to accept pickups on less than 5 working days notice. Carriers agree that once shipments are accepted with less notice, the carrier is obligated to the agreed pickup date.

Item 322 ***Reporting Requirements***

Within, but not more than, 10 calendar days following date of pickup of a shipment, the origin agent will provide the following information when requested by the PPSO:

a. Estimated date the shipment will be picked up by linehaul equipment for movement to the ocean or aerial port.

b. Estimated date of sailing and identity of port and vessel (Code 4).

c. Routing of vessel and discharge port (Code 4).

d. Estimated date of arrival at destination (Code 4).

Item 323 ***RDD Requirements***

Traffic management procedures of the carrier should be geared to provide 100 percent of deliveries on time. Failure to achieve an acceptable level of on-time deliveries into any rate area may be cause for disqualification from the ITGBL program into the rate area. Disqualification may extend into subsequent rate cycles.

**Item 324 RPDD Requirements**

Traffic management procedures of the carrier should be geared to provide 100 percent of deliveries to the port for Code J shipments to be on the scheduled date. Failure to achieve an acceptable level of on time deliveries to the port may result in disqualification from the ITGBL program into the destination rate area. Disqualification may extend into subsequent rate cycles**.**

Item 325 ***Carrier Agent/Port Agent Facilities***

a. Carriers participating in the ITGBL program must guarantee HQMTMC free access to agent/port agent's facilities during normal working hours. This must be reduced to a written binding agreement between the carrier and its agent. MTMC port operators or official representatives will randomly inspect the condition of carrier containers at these facilities. Data will be provided on both inbound and outbound shipments. Containers, found to be in a condition rendering the container unacceptable for continued movement of the contents, will be identified to the concerned carrier and/or agent for immediate corrective action. Unacceptable conditions would include damaged or poorly constructed containers; illegible, improper, or nonexistent markings; improper waterproofing, or other such violations. The agent/port agent of the carrier must immediately arrange to have the container restored to an acceptable condition or, alternatively, must repack the shipment in an acceptable container prior to onward movement. Carriers failing to take corrective action may be immediately placed in nonuse by HQMTMC and the shipment may be terminated by the Government. Any additional Government expenses may be setoff against the carrier's PPGBL.

b. In accordance with Section 406 of Title 37, United States Code, no carrier, port agent, warehouseman, freight forwarder, or other person involved in the transportation of property may have any lien on, or hold, impound, or otherwise interfere with, the movement of baggage and household goods being transported under this section. Personal property shipments moved under this solicitation are DOD-sponsored and, as such, will not be detained by carriers or agents. Additionally, the Government has the right to inspect carrier's containers on any premises of the carrier/agent. Accordingly, carriers agree to include the following stipulation in their contracts, agreements, and/or orders with underlying carriers/agents:

> "By acceptance of this contract/agreement/order/reimbursement schedule, I recognize the property being transported hereunder is United States DOD-sponsored personal property and, as such, will not be detained by my firm under any circumstances. Further, I guarantee the Government free access to any facilities, including those of my agents, during normal working hours, for their lawful purpose of inspecting and removing carrier containers in which DOD-sponsored personal property is shipped."

Agents refusing to consummate agreements/contracts containing this clause will not be used by carriers.

c. In addition to the condition of containers, the MTMC representatives will observe general warehousing practices, such as: housekeeping practices (i.e., floor free of debris); staging in proximity to hazardous materials; an overall impression of orderliness and condition of building; and protection of property from the elements and adequate security.

Item 326 ***Right to Audit by DOD***

By filing rates in response to this solicitation, the carrier agrees HQMTMC, or other appropriate Government agencies, shall have the audit and inspection rights for any purposes described as follows:

a. Costs: The right to examine carrier financial records, documents, and other evidence, including accounting procedures and practices, sufficient to reflect all direct and indirect costs of whatever nature claimed to have been incurred and anticipated to be incurred for the performance of this service. Such right of examination shall include inspection at a reasonable time, at the carrier's place of business, or such parts thereof, as may be engaged in the performance of the solicitation.

b. Cost Data Elements: If the carrier submits cost or pricing data in connection with the prices offered in the solicitation or any change or modification thereto, HQMTMC, or its designated Government representatives, shall have the right to examine all financial records, documents, and other such carrier data related to the pricing or performance of such service, change, or modification, for the purpose of evaluating the accuracy, completeness, and reasonableness of the costs or pricing data submitted. The right of examination shall extend to all documents necessary to permit adequate evaluation, along with the computations and/or projections used therein.

Item 327 ***Right to Audit by Comptroller General***

The Comptroller General of the United States or its designated Government representatives may have access to and the right to directly examine pertinent books, papers, documents, and records of the carrier involving transactions related to the solicitation for any lawful purpose until 3 years after final payment of any PPGBL under these rates. The periods of access and examination of records relating to litigation or settlement of claims rising from the performance of the carrier, or costs and expenses of these rates to which exception has been taken by the Comptroller General or its representatives, shall continue until such appeals, litigation, or claims have been settled.

Item 328 **Intratheater Tenders**

Intra-theater tenders will not be utilized for over ocean transportation to/from ports within CONUS or moving within an overseas theater unless prior approval is provided, this approval would be granted on a case by case basis for emergency services only.

Item 329 **Reserved for future Use**

Item 330 **Shipment Terminations**

The Government reserves the right to terminate shipments at any point during transportation prior to delivery and to separately arrange for onward movement to destination under the following conditions:

a. A shipment becomes frustrated at the facility of an origin/destination agent or port agent due to:

(1) Nonpayment of charges by the ITGBL carrier, whereby the shipment is being detained by the ocean or motor carrier either aboard a vessel or within an ocean or motor terminal.

(2) Nonpayment of port agent's fees and/or charges by a carrier, whereby the shipment is being detained at a port agent's facility by a port agent.

(3) Detention of a shipment by an origin/destination local agent for any reason relative to carrier/agent disputes.

(4) Nontraceable or nonavailable documentation attributable to the fault of the carrier or its agents.

(5) Port congestion arising from the inability of the port agent and/or carrier to book and clear shipments in a timely manner.

b. The carrier is unable to perform in such a manner as to ensure the timely movement of the shipment.

c. In any of the above or similar instances whereby the carrier cannot meet performance standards, the Government may terminate the shipment, obtain release of the shipment from the agent, port agent, ocean or motor carrier, as applicable, and at its option, pay any charges necessary to release the shipment, and initiate action for setoff of expenses incurred by the Government in excess to those which would have been incurred if the carrier had maintained total through movement of the shipment. The carrier will be paid up to the point of termination in accordance with rates and charges contained in this solicitation. Original carrier's containers will be made available to original carrier by the new carrier at destination.

d. In the case of port agents, all DOD HHG and UB shipments must be identified on ocean bill of lading/manifests as DOD-sponsored property subject to release to DOD upon demand. This will be reduced to a written binding agreement between the carrier and its agent. In any case of shipment terminations, as for any Code T or 5 shipments, the carrier and the Government will each assume claims liability for 50 percent of any damages when such damages cannot be determined to be solely the responsibility of the carrier or the Government.

Item 331 ***Excess Cost***

To enable DOD to collect excess costs incurred due to carriers/forwarders defaulting on shipments contained in the pipeline, carriers assuming the onward movement will maintain records of all excess costs including demurrage, storage, etc., over and above those normally associated with a shipment. Carriers will report such costs to HQMTMC, ATTN: MTPP-HO, for further notification to the finance centers and the General Services Administration.

Item 332 ***Rate Verification***

Carriers/agents are required to verify their rates, as shown in block 31 of the PPGBL, upon receipt and prior to performing any services. If the rate on the PPGBL does not agree with the tendered rate of the carrier, then the carrier/agent will notify the PPSO immediately by telephone. The PPSO is responsible for verifying the destination rate area, carrier's rate, cancellation listing, etc., to determine discrepancy. At no time will the carrier perform any services until PPSO and carrier are in agreement of rate. Carriers will notify HQMTMC, ATTN: MTPP-HO, if PPSOs fail to provide PPGBL in a timely manner.

Item 333 ***Worldwide Nonuse Actions***

a. When a carrier is placed in worldwide nonuse, MTPP-HR will, at the discretion of the Commander, HQMTMC, issue a special solicitation for rates in accordance with Chapter VIII. PPSOs and area commands will inspect local and port agent facilities, located in their area of responsibility, for shipments of subject carrier still on hand and will be responsible for the termination of these shipments and arranging alternate transportation to final destination.

b. Detailed procedures for processing frustrated shipments are contained in DOD 4500.9-R, DTR.

Item 334 ***Payment of Debt***

Should HQMTMC be advised a carrier filing rates, under the terms of this solicitation, has failed to comply with the terms of an arrangement entered into between the carrier and an agency of the Federal Claims Collection Act of 1966 relating to transportation services, HQMTMC may place this carrier in nonuse or disqualification status until such time as the arrangement entered into by the carrier has been complied with.

Item 335 ***Intratheater Pacific Rates***

Code T HHG originating at Australian APOEs for Pacific intratheater movement should not transit CONUS. Shipment will be routed to Hickam AFB, Hawaii, for onward movement to the destination APOD, via AMC airlift. Should shipments be shortloaded at CONUS port, movement will be via AMC opportune airlift or via surface transportation at ASIF expense. Should ITGBL carrier be required to move shipment between CONUS ports, compensation will be made under provisions of Item 528, Use of Alternate Ports Code 5 and Code T Shipments.

Item 336 ***Reserved for Future Use***

Item 337 **Required Numbers**

Each carrier participating in the ITGBL program will maintain a TELEX, or facsimile number for purposes of tracings, shipment notification of changes, etc. HQMTMC, ATTN**: MTPP-HQ**, will be notified immediately of any change in number.

Item 338 ***Port Contract Facilities***

Carrier's Code 5 SFR will include pickup and delivery of containers positioned at port contractor's facility if facility is located within 50 miles of the designated port. For example, at the military ocean terminal in Seattle, Washington, shipments may be linehauled to port contractor's facility in Kent, Washington, (approximately 26 miles from Seattle), or to Tacoma, Washington, (approximately 31 miles from Seattle). This linehaul should be included in the SFR.

Item 339 ***Reserved for Future Use***

Item 340 ***Packing Privately Owned Firearms (POFs)***

a. All privately-owned firearms (POFs) will be placed in a number 1 external shipping container and positioned so that they are readily accessible for examination by customs officials, when required, and the container closed and sealed at member's residence.

b. Carriers must comply with the following provisions of Public Law 103-159, Brady Handgun Violence Protection Act:

(1) Marking the outside of any package, luggage, or other container indicating that the package contains a firearm is prohibited. This does not exclude attaching documentation in a sealed envelope to a box/container of household goods.

(2) Written acknowledgement of receipt from the recipient of any package containing a firearm is required. Signatures can be on a bill of lading, inventory, or carrier-generated receipt. Signatures are only required at the time of delivery, i.e., not required at intransit points as shipments move between carriers and agents.

(3) The above provisions only apply when shipments are moving within the United States.