



SECTION 7 – PACKING, MARKING AND SHIPPING INSTRUCTIONS

Bechtel National, Inc

Pueblo Chemical Agent-Destruction Pilot Plant

1.0 ADVANCE DOCUMENTATION REQUIREMENTS

The following SELLER documents must be submitted to BUYER in advance of any shipment under this Purchase Order:

- 1.1 Shipping Plans for Purchase Order Delivery Terms FCA Jobsite, Pueblo, Colorado (Incoterms 2000):** Shipments covered by this requirement are for shipping units with a gross weight of 45,000 kilograms or more, or any single shipping unit greater than 10 meters in length, or 2.4 meters in width or 2.4 meters in height.

For any PRODUCTS covered by the delivery terms listed above, SELLER shall provide a shipping plan to BUYER **at least two (2) months** prior to shipment. If the duration from Purchase Order award to shipment is less than two (2) months, SELLER'S shall provide the shipping plan immediately but not less than one (1) week prior to shipment.

SELLER'S shipping plan must include:

- Estimated number of total shipping units, with estimated total weight (kilograms) and volume (cubic meters) of shipment
- Estimated weight (kilogram) and dimensions (centimeters) of largest shipping unit
- Permits or right-of-way clearances, if required
- Route surveys, if required
- Transport and lifting drawings for each over-dimensional (greater than 10 meters long, or 2.4 meters wide or 2.4 meters high) or overweight (greater than 20,000 kilograms) shipping unit
- Transportation mode including carrier name and contact information
- Estimated shipment date(s) from SELLER'S facility
- Preliminary main carriage load and stow plan, and
- Lifting and handling instructions for all shipping units that SELLER recommends lifting with crane equipment.

***FCA Jobsite (INCOTERMS 2000) Delivery Terms:** Shipments covered by this requirement are for shipping units with a gross weight of 45,000 kilograms or more, or any single shipping unit greater than 10 meters in length, or 2.4 meters in width or 2.4 meters in height.

1.2 Transport and Lifting Drawings

For any single piece of equipment with a gross weight of 45,000 kilograms or more, SELLER shall submit transport and lifting drawings **at least three (3) months** prior to shipment.

For any single piece of equipment with a gross weight of between 10,000 and 45,000 kilograms, and with dimensions greater than 10 meters long, or 2.4 meters wide or 2.4 meters high, SELLER shall submit transport and lifting drawings **at least one (1) month** prior to shipment.

1.3 Special Handling Requirements

SELLER shall provide all required instructions and recommendations for any special handling, receiving, or storage requirements to BUYER at **least one (1) month** prior to shipment. A copy of the required instructions and recommendations shall also be included with the shipment.

2.0 QUALITY VERIFICATION DOCUMENT PACKAGE

If a Quality Verification Document (QVD) package is required per Section 3 – Drawing and Data Requirements, a copy of the QVD package shall be enclosed in a sealed waterproof envelope and attached to Package Number One of each shipment. Shipments that arrive at BUYER'S designated delivery point without the required Quality Verification Document package, may be unloaded at BUYER'S discretion, but will not be considered as received until the Quality Verification Document Package has been received by BUYER.

3.0 HAZARDOUS MATERIALS

SELLER must pack, mark and document any dangerous or hazardous materials in accordance with all applicable local, state, national and international codes such as the U.S. Department of Transportation (DOT) Hazardous Materials Regulations (Title 49 Code of Federal Regulations Parts 100-185), the International Maritime Organization (IMO) International Maritime Dangerous Goods Code or the International Air Transport Association (IATA) Dangerous Goods Regulations. Dangerous or hazardous materials must be separated from other materials and packed in separate shipping containers as required by the applicable codes and regulations. SELLER must provide BUYER with a current Material Safety Data Sheet (MSDS) **at least one (1) week** prior to shipment of any dangerous or hazardous materials.

4.0 MINIMUM PACKAGE PREPARATION REQUIREMENTS

Project-specific packing instructions for domestic or international shipment are specified separately in this Section. As a minimum, packing requirements are as follows:

SELLER is responsible to ensure that equipment and materials are properly protected from damage consistent with the transportation method to be utilized for shipment. SELLER will provide inner preservation, as appropriate, to avoid damage from environmental elements, and outer packaging that facilitates the safe handling and protection from theft and damage in transit. All packages shall be constructed in a manner to allow for proper handling, with the appropriate access points for lifting by forklift or slinging.

BUYER requires that SELLER attempt to utilize only biodegradable or recyclable cushioning and packaging materials.

5.0 PACKAGE MARKINGS

Project-specific marking instructions for domestic or international shipment are specified separately in this Section.

As a minimum, the following package marking requirements are applicable to this Purchase Order:

- All markings must be in the English language
- Shipping marks must be stenciled on two opposite sides of the shipping unit (a shipping unit may be a box, carton, pallet, skid, bundle, crate, barrel, drum, loose self supported piece of equipment, etc.)
- Lettering must be between 7.62 and 12.7 cms. (3 to 5 inches) high in weatherproof black ink to ensure visibility
- Shipping units that can not be stenciled directly must have attached corrosion resistant metal tags with raised markings
- As appropriate, shipping units must be marked with industry standard cautionary symbols indicating center of gravity, slinging or lifting points, top heavy packages, fragile and liquid contents, moisture sensitive contents, etc. ASTM (American Society of Testing and Marking) Standards Number D 5445 – 01, "Standard Practice for Pictorial Markings for Handling of Goods" (available through www.astm.org), will apply to all marking and labeling
- Package markings indicating:
 - BUYER Purchase Order Number
 - Project Name

- Shipping Control Number (SCN) (if assigned by BUYER)
- Shipping Unit Piece Number
- Gross Weight (kilograms)
- Dimensions (centimeters)

6.0 FREIGHT CHARGES

Collect or Collect On Delivery (COD) shipments are not permitted. Refer to the Purchase Order delivery terms and Commercial Notes for freight cost responsibility and freight invoicing instructions.

7.0 PREPARATION OF SELLER'S BILL OF LADING

As a minimum, SELLER's bill of lading must include the following:

- BUYER Purchase Order Number
- Project Name
- Shipping Control Number (SCN) (if assigned by BUYER)
- Dangerous Goods or Hazardous Materials UN identification number(s) and 24-hour emergency response contact information (if applicable)
- Freight charges invoicing instructions

8.0 FINAL PACKING LIST AND BILL OF LADING

Within twenty-four (24) hours of ANY shipment from SELLER'S facility, SELLER shall provide a final packing list and bill of lading to BUYER'S Traffic and Logistics representative as confirmation of shipment from SELLER'S facility to BUYER'S designated delivery point. At the same time, a copy of the final packing list and bill of lading shall also be provided to BUYER'S Expeditor in accordance with Section 6 of this Purchase Order. **Failure to comply with this requirement within twenty-four (24) hours of shipment will delay payment of SELLER'S invoice.**

Minimum packing list requirements are as follows:

- BUYER Purchase Order Number
- SELLER name and address
- Consignee name and address (or alternate location, if designated)
- Description of equipment and materials
- Quantity shipped per Purchase Order line item number, including tag numbers and serial numbers
- Gross and net weight in kilograms, per package
- Total gross and net weight in kilograms, per shipment
- Dimensions in centimeters (L x W x H) and total volume per package
- Total volume of shipment
- Sequential package number
- Shipping Control Number (SCN) (if assigned by BUYER)

9.0 BUYER’S TRAFFIC AND LOGISTICS CONTACT

BUYER’S Traffic and Logistics contact for this Purchase Order is: **To Be Determined**

(P.O. ENTITY – SHOULD BE SAME AS PURCHASE ORDER COVER PAGE)

(PROJECT NAME – SHOULD BE SAME AS PURCHASE ORDER COVER PAGE)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, COUNTRY, ZIP CODE)

PRIMARY CONTACT:

ALTERNATE CONTACT:

ATTENTION:

TELEPHONE:

FACSIMILE:

E-MAIL:

NORMAL BUSINESS HOURS:

10.0 DOMESTIC SHIPMENTS (shipments originating within the Project location country)

RESERVED

11.0 INTERNATIONAL SHIPMENTS (shipments originating outside the Project location country)

11.1 **Compliance with United States (U.S.) Export Controls**

Information Requirements

Commodities, software, and technology (technical data, technical assistance) provided under this Purchase Order must be reviewed for compliance with U.S. export controls. SELLER must provide BUYER with **either** the following U.S. Export Control Certification or a listing of ECCNs for each product **within two (2) weeks** after Purchase Order award and, in any event, prior to shipment:

U.S. Export Control Certification: SELLER will provide the following Export Control Certification to BUYER’S authorized representative:

“We hereby certify that the commodities, software, and technology to be provided to BUYER under Purchase Order (SELLER to insert P.O. number) are not of U.S. origin, do not include more than 25% U.S. content by value, are not direct products of U.S.-origin commodities, software, or technology, and will not transit through the U.S.”

...or...

Export Control Classification Numbers (ECCNs)

SELLER and SELLER'S sub-suppliers shall provide ECCNs, including EAR99, pursuant to the U.S. Department of Commerce, Bureau of Industry and Security's current Export Administration Regulations for all commodities, software, and technology (technical data, technical assistance) under this Purchase Order. SELLER shall ensure that all its sub-suppliers comply with this provision.

If SELLER is unfamiliar with the U.S. regulations for determining ECCNs, it is SELLER'S responsibility to obtain appropriate guidance from SELLER'S export compliance department, legal counsel, freight forwarder, or the U.S. Department of Commerce's Bureau of Industry and Security to obtain assistance with the classification of all commodities, software, and technology to be provided under this Purchase Order: www.bis.doc.gov/licensing/do_i_needaneccn.html

If BUYER adds new commodities, software, or technology in a Purchase Order, SELLER shall reconfirm the certification above or will supply BUYER with U.S. Export Control Classification Numbers (ECCNs) for the added items, as applicable, within five (5) working days.

Licensing Requirements

Purchase Order Delivery Terms	Responsible Party
EXW	BUYER
FCA, FAS, FOB, CFR, CIF, CPT, CIP; DAF, DES, DEQ, DDU, DDP	SELLER

BUYER is responsible for any required U.S. export licenses: When the Purchase Order delivery term is Exit Works (EXW), Incoterms 2000, BUYER is responsible for obtaining any required U.S. export licenses for all commodities, software, and technology to be supplied under this Purchase Order.

SELLER is responsible for any required U.S. export licenses: For all Incoterms except Exit Works (EXW), SELLER is responsible for obtaining any required U.S. export licenses for all commodities, software, and technology to be supplied under this Purchase Order. At BUYER'S request, SELLER will provide a copy of the export license.

In order to assist SELLER in complying with the US Export Administration Regulation's General Prohibition Five - Export or re-export to prohibited end-uses or end-users (End-Use End-User), BUYER advises as follows:

End-User: _____

End-Use: _____

Destination Country: _____

If SELLER needs assistance, it is SELLER'S responsibility to obtain appropriate guidance from SELLER'S export compliance department, legal counsel, freight forwarder, or the U.S. Department of Commerce's Bureau of Industry and Security. (www.bis.doc.gov/licensing/do_i_needaneccn.html)

11.2 Harmonized System Numbers

SELLER or SELLER'S sub-supplier must provide at least the first six digits of the applicable current Harmonized System (HS) number next to each product/component when issuing packing lists to BUYER or its agents.

For U.S. exports, the relevant Harmonized System publication is the current U.S. Department of Commerce, Bureau of the Census, U.S. Foreign Trade, Statistical Classification of Domestic and Foreign Commodities Exported from the United States, Schedule B (Schedule B).

For exports from all other countries, use the exporting country's current applicable Harmonized Commodity Description and Coding System (HS) publication.

11.3 Obtaining Written Delivery Instructions From BUYER

No later than ten (10) business days prior to any shipment, SELLER must submit a preliminary packing list and pro-forma invoice to BUYER'S Expeditor (by facsimile or electronic mail) requesting delivery instructions. Upon review and acceptance of SELLER'S documents against Purchase Order line item descriptions and quantities, BUYER'S Traffic and Logistics representative will provide SELLER with a Shipping Control Number (SCN) and final delivery instructions in writing. SELLER'S preliminary packing list and pro-forma invoice descriptions and quantities must reference BUYER'S corresponding Purchase Order line items, and, if applicable, tag or stock code numbers. BUYER'S Expeditor will contact SELLER if additional information is needed to reconcile preliminary packing list and pro-forma invoice details with Purchase Order line items.