



# MUSTANG FREIGHTWAYS LTD.

## TERMS & CONDITIONS

*Effective: February 20, 2024*

### After Hour Pickup/Delivery

\$200.00 per shipment

This charge applies in addition to the prescribed freight charges for pickups/deliveries that fall within the time period of 6:00 pm to 6:00 am. This service requires arrangements made 24 hours in advance. Any detention time will be charged in addition as per "Detention with Power". "Delivery by Appointment" charge does not apply when this service is provided.

### Appointment Delivery

Per shipment charge of \$41.50

This charge applies when a shipment requires:

- a) A specific appointed time of delivery or;
- b) A requested delivery window of 2 hours or less or;
- c) Delivery during a specified range of time that does not allow the delivery to occur with regular operating procedures.

The bill of lading or any shipping document must have a notation requesting the prearranged time of a delivery or specified range of time. Mustang Freightways Ltd will do the delivery on a liable best efforts basis and will not be responsible for any consequential damages, cost and/or fines as a result of a shipment delay.

### Appointment Pickup

Per shipment charge of \$41.50

This charge applies when a shipment requires:

- a) A specific appointed time of pickup or;
- b) A requested pickup window of 2 hours or less or;
- c) Pick up during a specified range of time that does not allow the pickup to occur with regular operating procedures.

Mustang Freightways Ltd will do the pickup on a liable best efforts basis and will not be responsible for any consequential damages, cost and/or fines as a result of a shipment delay.



## Bill of Lading

\$3.32 per change, minimum \$26.00 per request.

## Change In Terms

A change in the terms of the Bill of Lading authorizing a change. Regarding payment of freight charges (i.e. from prepaid to collect) will be subject to the above charge.

## Bond Charges

- a) Bond Handling Charge: \$5.70 per cwt. Minimum \$121.00
  - i. This charge applies when we are asked to move shipments to an inland sufferance warehouse for clearance.
- b) Bond Administration Charge: \$5.70 per cwt. Minimum \$121.00 Maximum \$199.00
  - i. This charge covers the cost of preparing and/or handling bond papers.
- c) Bond Remanifesting Charge: \$121.00 per shipment
  - i. The above charge applies when we are asked to remanifest a shipment from one transportation mode to another, for example from ocean or air to road transportation.
  - ii. Use of compound \$221.00 per day.

## Border Charges

When this service is provided directly by Mustang Freightways Ltd.

- a) Northbound: \$34.00 per shipment (U.S. funds)
- b) Southbound: \$34.00 per shipment (U.S. funds)

## Carry In Delivery or Pickup

\$4.82 per cwt. Minimum \$58.00

This charge will be applied when one or more of the following situations arise:

1. Driver is required to go beyond immediate area of receiving door greater than 30 feet.
2. Requested delivery to a location other than the ground floor.
3. The handling unit(s) of the freight exceeds the width and or height of the receiving door, and the driver must break down the unit(s) to complete the pick-up or delivery.

This charge is applicable to all deliveries to job/construction sites, shopping malls, private storage facilities and trade shows.



### Cash Collect Pickup/Deliveries

\$8.50 per shipment

This charge is applicable when the shipper or consignee does not have credit established with Mustang Freightways Ltd and we are required to collect charges at time of pickup or delivery.

### C.O.D. Charges

6% of C.O.D. value \$41.00 Minimum charge

This fee is payable by the consignee. The C.O.D. fee applies when our driver is asked to pick up cash or a certified cheque, payable to Mustang Freightways, from consignee before the freight may be delivered.

### Copies of Documents

\$3.63 per document, minimum \$27.00 per request

This fee is payable when requested by the customer. i.e: (bills of lading or proofs of delivery).

### Cube (Density)

All rates are subject to a minimum density of 10 lbs per cubic foot.

$10 \text{ pcf} = \frac{\text{length (in)} \times \text{width (in)} \times \text{height (in)}}{1728 \times 10}$ , if this is more than the actual weight of the shipment then the cubed weight would apply to calculate the freight charges. If the bill of lading states "do not stack" or it is impractical to load other freight on top of the shipment, the height of 8 feet will apply.

### Dangerous Goods

Subject to a per shipment charge of \$24.00

### Dead Call

\$5.52 per cwt., Minimum charge \$59.00, Maximum charge \$224.00

This charge is applied when we have attempted to pick up or deliver freight and one of the following happens:

- a) Shipper / Consignee requests we pick up / deliver at another time.
- b) No answer at Shipper / Consignee's place of business.
- c) The customer cancels the load while we are already on route to the pick up or delivery location.



## Delivery by Appointment

Per shipment charge of \$41.50

- a) A specific appointed time of delivery or;
- b) A requested delivery window of 2 hours or less or;
- c) Delivery during a specified range of time that does not allow the delivery to occur with regular operating procedures.

The bill of lading or any shipping document must have a notation requesting the prearranged time of a delivery or specified range of time. Mustang Freightways Ltd will do the delivery on a liable best efforts basis and will not be responsible for any consequential damages, cost and/or fines as a result of a shipment delay.

## Delayed Shipments

Mustang Freightways Ltd will make every reasonable effort to deliver customers' shipments according to Mustang Freightways Ltd regular delivery schedules; these are not, however, guaranteed and do not form part of these Terms and Conditions. Mustang Freightways Ltd is not liable for any delays and is not responsible for the consequences of a failure to deliver by a stipulated time. Where goods are stopped and held in transit at the request of the party entitled to so request, the goods are held at the risk of that party.

## Delivery Exceptions & Signatures

Damages or shortages must be clearly noted and identified on the carrier's receipt copy of the freight bill (POD) with consignee's signature and printed name at the time of the delivery. Notations such as "Subject to Inspection and/or Count", "Cartons Crushed", "Possible Damage", "Possible Shortage", do not constitute a legitimate damage or shortage exception. A signature without exception will constitute conclusive proof of goods having been received in good order and in condition.

## Detention Without Power

- a) Dry van \$107.00 per day, per trailer
  - i. The above rate will be given a free period of 24 hours after the trailer has been dropped. Saturdays, Sundays and Holidays will not be used in the computation of free time, but will be included in the assessment of charges.
- b) Reefer trailer \$210.00 per day, per trailer
  - i. When delivery cannot be effected through no fault of the carrier on the day of arrival, detention charges will be assessed with no free time allowance.



### Detention With Power

<b>Billed Weight in Pounds</b>	<b>Free Time</b>
Up to 2000	.25 hrs
2001 – 9,999	.50 hrs
10,000 to 19,999	1.00 hrs
20,000 to 29,999	1.50 hrs
30,000 and over	2.00 hrs

\$32.50 per ¼ hour or part thereof

The detention with power rate above applies when the driver is detained at the pickup or delivery point for more than the allowable pickup or delivery time as stated above.

### Flat Deck

For pickup or delivery a charge of \$61.00 per shipment plus \$2.54 per mile in excess of 40 miles will apply. This charge applies in addition to the prescribed freight charges for deliveries or pick ups within the terminal service area. Freight, which must, because of its size or shape be transported on flat-deck equipment and which weighs less than 4,000 lbs. When freight as described above, is transported from all points named in this tariff such freight will be charged for at the applicable tariff rate, subject to a minimum weight of 4,000 lbs.

### Hydraulic Tailgate

\$3.64 per cwt., Minimum charge \$56.00, Maximum charge \$122.00

Charge applies if the shipper or the consignee does not have proper shipping/receiving docks to ensure safe handling of the freight or the shipper or consignee states that the use of a hydraulic tailgate is a requirement.

### Inside Delivery

\$4.82 per cwt. Minimum \$58.00

This charge will be applied when one or more of the following situations arise:

- 1) Driver is required to go beyond immediate area of receiving door greater than 30 feet.
- 2) Requested delivery to a location other than the ground floor.
- 3) The handling unit(s) of the freight exceeds the width and or height of the receiving door, and the driver must break down the unit(s) to complete the pick-up or delivery.



## Interline Shipments

All interline shipments are subject to interline carriers rules and regulations.

## Jobsite/Construction Site Delivery

\$4.82 per cwt. Minimum \$58.00

This charge will apply to all shipment delivered to a jobsite or construction site.

## Labour Charges

Extra man \$81.00 per hour, Minimum charge \$81.00

The above represents the cost of a driver's helper only. This charge would be applied if the driver required a helper to load or unload the freight.

## Liftgate Delivery

\$3.64 per cwt., Minimum charge \$56.00, Maximum charge \$122.00

Charge applies if the shipper or the consignee does not have proper shipping/receiving docks to ensure safe handling of the freight or the shipper or consignee states that the use of a hydraulic tailgate is a requirement.

## Limitations of Service

We do not warrant delivery at any particular hour nor with other than reasonable dispatch.

## Linear Foot Rule

1000 lbs. per linear foot for shipments occupying 10 feet or more of trailer.

When the freight occupies 10 feet of trailer space or more (or is packaged in such a way that other freight cannot be stored on top or on either side of it), the chargeable weight will be calculated at 1000 lbs per linear foot of space used. (i.e. 25 feet of trailer space used = 25,000 lbs.) See also, Cube (Density).

## Local Cartage

Any vehicle up to 10,000 lbs. capacity \$110.00 per hour, Minimum charge \$113.00

Any vehicle over 10,000 lbs. capacity \$125.00 per hour, Minimum charge \$129.00

The above represents the cost of a driver, tractor and trailer or straight truck. It is applied to the total time spent performing the work required, including any time spent on initial placement of equipment and return to domicile terminal on completion. The above also applies when vehicle is furnished but not used.



## Long Freight

Shipments containing one or more articles that equal or exceed 10 feet in length will be subject to a charge of \$62.50 in addition to all other applicable charges.

## Mall Delivery

\$4.82 per cwt. Minimum \$58.00

This charge will be applied to shipments requiring pickup or delivery to a mall or shopping centre. Stores that have their own loading dock direct into their receiving area will be exempt.

## Notification Prior to Delivery

Per shipment charge of \$8.50

This charge applies when the bill of lading or any shipping order is tendered bearing any request that the carrier notify the consignee prior to delivery by any means whatsoever. This charge also applies for consignee requests. Any notifications resulting in a "Delivery by Appointment" will be subject only to charges specified per "Delivery by Appointment".

## Notification Prior to Pickup

Per shipment charge of \$8.50

This charge applies when the bill of lading or any shipping order is tendered bearing any request that the carrier notify the consignee prior to pickup by any means whatsoever. This charge also applies for shipper requests. Any notifications resulting in a "Pickup by Appointment" will be subject only to charges specified per "Appoint Pickup".

## Off Hour Pickup/Delivery

\$200.00 per shipment

This charge applies in addition to the prescribed freight charges for pickups/deliveries that fall within the time period of 6:00 pm to 6:00 am. This service requires arrangements made 24 hours in advance. Any detention time will be charged in addition as per "Detention with Power". "Delivery by Appointment" charge does not apply when this service is provided.

## Packaging

All products must be packaged or crated to handle the normal rigors of transportation. Mustang Freightways Ltd assumes no liability for any loss, damage or delay due to inadequate or improper packaging, uncrated machinery or missing or incorrect labeling. The carrier may refuse to transport shipments which are not deemed to be packaged or protected for safe transportation and reserves the right to move shipments with poor or inadequate packaging at "Owners Risk of Damage" (ORD). All goods must be clearly marked to show destination and delivery address.



## Personal Effects

Current full tariff rates are to be used to calculate cost. Freight charges must be paid in advance. We will not insure this freight.

## Pickup Cheque Charge

\$25.00 per cheque

This charge will apply when picking up an uncertified cheque made payable to the shipper and the carrier is not liable in the event that the cheque is N.S.F. (see also, C.O.D.).

## Power Tailgate Delivery

\$3.64 per cwt., Minimum charge \$56.00, Maximum charge \$122.00

Charge applies if the shipper or the consignee does not have proper shipping/receiving docks to ensure safe handling of the freight or the shipper or consignee states that the use of a hydraulic tailgate is a requirement.

## Private Residence

\$9.20 cwt., Minimum charge \$92.00, Maximum Charge \$341.00

Charge is applied when we pickup or deliver at a property that is a private residence or on a rural route when the property operates as a business or not. Schools and long term care homes located in residential areas will also be subject to this charge.

## Private Storage Facility Pickup/Delivery

\$4.82 per cwt. Minimum \$58.00

This charge will be applied to shipments requiring pickup or delivery to a private storage facility.

## Protective Service (Heat)

- a) The carrier will not be obligated to supply protective service beyond the supply of van type equipment, unless specific arrangements are made in advance of the shipment and request is endorsed on the bill of lading by the shipper.
- b) When the bill of lading is not endorsed as per paragraph (a) the carrier will not be responsible for damage or deterioration.
- c) 15% of freight charges, Minimum charge \$21.00

Heat charges are only applied when the customer requires that we "protect from freezing".

### **Conditions for Heated Service:**

- a) For the purposes of this document, freezing occurs at 0 degrees Celsius (32 degrees Fahrenheit).
- b) Heated service is applicable October 1 through March 31 inclusive.





- c) When temperatures reach -20 degrees Celsius (-4 Fahrenheit) or colder at a pickup or delivery location, Mustang will only be liable for frozen shipments if it is shipped or received at a temperature controlled dock. If loading or unloading occurs outside, Mustang Freightways will not be responsible for frozen product once the temperature reaches -20 degrees Celsius (-4 Fahrenheit) or colder.
- d) Mustang Freightways will not be responsible for shipments freezing once the outdoor temperature reaches -30 degrees Celsius (-22 Fahrenheit) or colder, regardless of the type of unloading conditions.

### Reconsignment

\$59.00 per request

This charge is applied when, prior to the delivery, the consignee address on the original shipper's bill of lading is requested to be changed to another local address and a new bill of lading may be required for the shipper in order to direct the shipment properly. The party responsible for the change is responsible for the charges and should be made aware of the additional charges before final delivery is made.

### Redelivery

\$5.52 per cwt., Minimum charge \$59.00, Maximum charge \$224.00

This charge is applied when we have attempted to deliver freight and one of the following happens:

- a) Consignee requests we deliver at another time.
- b) No answer at consignee's place of business.
- c) Consignee or Shipper request we deliver to another address not originally noted on bill of lading. The party responsible for the change or redelivery is responsible for the charges and should be made aware of the additional charges before final delivery is made.

### Residential Delivery

\$9.20 per cwt., Minimum charge \$92.00, Maximum Charge \$341.00

Charge is applied when we pickup or deliver at a property that is a private residence or on a rural route when the property operates as a business or not. Schools and long term care homes located in residential areas will also be subject to this charge.

### Saturday Delivery

At terminals where Saturday service is available charges will be assessed as follows in addition to applicable freight charges:

- a) \$37.00 when delivered within 20 miles of the terminal
- b) \$53.00 when delivered between 21 and 41 miles of the terminal
- c) \$72.00 when delivered between 41 and 60 miles of the terminal

At terminals where Saturday service is unavailable please refer to "Weekend or Holiday Charge".



## Shipper's Warranty

The shipper warrants to Mustang Freightways Ltd that each shipping container and goods have been marked to identify the consignee, the consignee's address, number of pieces and any delivery instructions and that such markings are consistent with the details and instructions of the Bill of Lading. The shipper further warrants the goods have been properly and adequately packaged and prepared to withstand those risks of damage necessarily incidental to transportation. The shipper indemnifies Mustang Freightways Ltd for any and all claims arising out of the shipper's breach of such warranty. Where a shipment tendered to the carrier includes dangerous goods, the shipper warrants to the carrier that the goods and the Bill of Lading have been prepared to comply with all Federal and Provincial Laws and Regulations applicable to the Transportation of Dangerous Goods, and the shipper shall indemnify the carrier against any loss, damage or delay caused thereby, and any such goods may be warehoused at the consignor's risk and expense.

## Sorting/Segregating or Crossdocking

\$2.35 per cwt., Minimum charge \$29.00

This charge is applied when shipment(s) are tendered and are required to be segregated according to marks, brands, sizes, flavours or other distinguishing characteristics.

## Stop Off in Transit

\$144.00 per stop

This charge applies when our customer chooses to pay a truckload rate to the furthest point and an additional charge for stops in the direct line of haul. The largest delivery will be allowed 2 hours for delivery and all subsequent deliveries will be allowed 1 hour each.

## Storage Charges

\$3.15 per cwt. per day, Minimum charge \$25.00 per day, Maximum charge \$112.00 per day

This charge applies when a customer asks us to store undelivered freight or freight awaiting transportation. i.e. If we take delivery of a shipment on Tuesday, storage charges would apply beginning on Thursday, if not already delivered.

- a) Freight awaiting transportation will begin at 7:00 am the day after the freight is received by the carrier.
- b) Undelivered freight will be allowed 24 hours free time from the notice of arrival. Saturdays, Sundays and Holidays will not be used in the computation of free time but will be included in the assessment of charges.

## Surcharges

All rates are subject to applicable surcharges.



## Swamper Charges

Extra man \$81.00 per hour, Minimum charge \$81.00

The above represents the cost of a driver's helper only.

This charge would be applied if the driver required a helper to load or unload the freight.

## Taxes

All rates are subject to applicable taxes.

## Terms

Net 30 Days.

***Rates provided will only apply when payment is made by cheque or Electronic Funds Transfer (EFT), and will not apply if payment is made by credit card.***

## Tradeshow Pickup/Delivery

\$4.65 per cwt. Minimum \$56.00

This charge will be applied to shipments requiring pickup or delivery to a trade show.

## Valuation

Liability for damage and loss will be the lesser of the depreciated actual value, \$2.00 per pound or the declared value noted on the bill of lading with a maximum of \$50,000.00 per shipment. Declared value in excess of \$2.00 per pound is subject to a valuation charge of 2%, Minimum charge \$4.10 Mustang Freightways Ltd and its partners will not be liable for any costs and/or fines as a result of shipment delay.

## Vancouver Island

Rates and charges are subject to change with any cost increases related to marine transport.

## Weekend or Holiday

\$113.00 per hour, Minimum charge \$447.00

This charge applies in addition to the prescribed freight charge whenever we are asked to perform P&D on a weekend or holiday and it is necessary to call a driver in to perform the service.