

exchange information and data, and reach agreement with one or more owners, operators or other representatives of ocean, rail, and motor carriers, Marine Terminals, Inland Intermodal Terminals, equipment lessors, pool management companies, and/or maintenance and repair vendors, or affiliates of any of the aforementioned, with respect to any matter set forth in this Article 5 in connection with the establishment and operation of a Chassis Pool. The Chassis Pools or Affiliates established by them hereunder, may obtain bids from, negotiate with, select, and enter into contracts or agreements with such parties in connection with Chassis Pools, including but not limited to: pool management; inspection, maintenance and repair of chassis; access to, license, or lease of facilities on which Chassis Pools are to be operated; supply of equipment to a Chassis Pool; and use or contribution of Chassis to a Chassis Pool; motor carrier service for the repositioning of Chassis Pool equipment; provision or maintenance of computers, information systems, or networks; and any other goods or services that may be required in connection with the operation of a Chassis Pool; including all financial, operational, liability and other terms and conditions of such contracts.

5.6 Insurance. The Parties or any Chassis Pool may act as a purchasing group to procure insurance covering liabilities arising out of or related to chassis and or chassis pool operations.

5-67 Exclusivity. (a) Any contract or agreement entered into hereunder to form a Chassis Pool, locate or operate it at any one or more Inland Intermodal Terminal(s) or Marine Terminal(s), engage vendors to a Pool, or in connection with operation of a Pool, or otherwise

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authorized under this Agreement, may be entered into on an exclusive or non-exclusive basis at any or all such facilities. (b) No ocean common carrier shall be required to participate in a Pool because it is a member of OCEMA or because it is participating in any other Pool owned or operated by CCM or any Affiliate.