

Review of the Comprehensive Agreement between
the North Carolina Department of Transportation
and I-77 Mobility Partners LLC

Preliminary Report on Public Input

May 2017

Overview

NCDOT has initiated a review of the Comprehensive Agreement with I-77 Mobility Partners LLC. The objective is to identify and evaluate potential policy options that might address concerns expressed by members of the public regarding the implementation of the managed toll lanes concept and various provisions in the agreement.

This presentation highlights various concerns and questions raised in the comments and suggestions submitted by project stakeholders and members of the public.

Presentation Outline

- Purpose of the Public Input Review
- Overarching Concerns Expressed by Members of the Public
- Additional Areas of Concern
- Frequent Contract Questions
- Public Suggestions that can be Evaluated
- Factors to be Considered
- Next Steps

Purpose of the Public Input Review

- Not a referendum on the Project.
- Objective is to ensure that issues of concern to members of the public are evaluated.
- Extensive public debate generated in prior years has been supplemented with recent submissions to the NCDOT website.

This presentation highlights the key concerns and questions identified to date. The recent website submissions from the public will be posted verbatim.

Overarching Concerns Expressed by Members of the Public

- Will the toll lanes relieve congestion in the existing general purpose lanes or make it worse?
- How much will I have to pay to use the toll lanes?
- What prevents price gouging during accidents and bad weather?
- Will drivers know the toll rates and travel times in the general purpose lanes before making a decision?



Additional Areas of Public Concern



- Number and location of the points of access to and egress from the toll lanes
- Safe merging and lane changes
- Traffic impacts on NC 115 and U.S. Route 21
- Right-of-way for future improvements
- Impact of tractor trailer prohibition on safety, local mobility and freight logistics
- Construction standards for P3 constructed lanes
- Landscaping and sound walls
- Administrative fees for account maintenance and toll violations

Frequent Contract Questions

- How much will it cost to terminate the Comprehensive Agreement?
- Can the length of agreement be shortened?
- What capacity expansions can be implemented without paying a penalty to the Private Partner?
- Are taxpayers backstopping the toll revenue projections and guaranteeing a profit for the private investors?
- What are the ramifications and remedies if the Private Partner goes bankrupt?
- What resources have been committed to oversight of the Private Partner's performance and payments to affiliates?
- What is the source of funding for payments to the Private Partner for unplanned revenue impacting facilities?



Sample of Public Suggestions that may be Evaluated

Can we:

- Suspend work on toll lanes and pursue funding for design, permitting and construction of alternative improvements without tolls?
- Defer or eliminate tolling of certain segments?
- Consider options available to add auxiliary lanes or other capacity improvements to facilitate local travel?
- Reduce uncertainty by delaying transition to dynamic pricing after six months and extending use of defined toll schedules?
- Reduce financial impact on local residents by establishing frequent user discounts or toll credits for use above certain dollar threshold?

Examples are for discussion purposes only; list of options may be refined/expanded during the review process

Sample of Public Suggestions that may be Evaluated

Can we:

- Encourage greater use of new capacity by allowing HOV-2 for some period of time?
- Develop options to facilitate the movement of trucks?
- Modify agreement to reduce uncertainty regarding compensation for unplanned revenue impacting facilities?
- Examine feasibility of NCTA financing the purchase of the completed toll lanes?

Factors to be Considered

- Potential safety and environmental impacts
- Technical feasibility and impact on project cost and schedule
- Allocation of risk between public and private partners
- Legislative and regulatory authority to implement option
- Compatibility with state, regional and local transportation plans
- Constraints on use of funds currently committed to the project
- Rights and protections established for the tax-exempt bondholders
- Consents and approvals required by U.S. Department of Transportation under the TIFIA Loan Agreement



Next Steps

Tentative Date		Focus of presentation
May 17, 2017	Charlotte Regional Transportation Planning Organization	<i>Preliminary report on public input</i>
July 19, 2017	Charlotte Regional Transportation Planning Organization	<i>Draft Findings and Options</i>
August 3, 2017	North Carolina Board of Transportation	<i>Draft Findings and Options</i>
August 3, 2017	North Carolina Turnpike Authority Board	<i>Draft Findings and Options</i>