

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION - I-77 SOUTH EXPRESS LANES

LOW FINANCIAL IMPACT PRIORITIES - KEY TERMS

| # | Working Group Priority | Objective | Key Term |
|----|--|--|---|
| 1. | Markings/Lighting on Express Lanes Facility | Install high-visibility road markings and reflective surfaces while ensuring adequate lighting throughout the corridor to enhance safety during nighttime and low-visibility conditions. | Developer will be required to: <ul style="list-style-type: none"> • implement high-visibility signage and pavement markings for the Project, consistent with NCDOT and Federal interstate standards; • replace or refresh signage and pavement markings based on specified timeframes; • implement base lighting requirements for the Project and prepare lighting analyses to determine what additional lighting (if any) is necessary to meet NCDOT and Federal interstate standards; and • maintain operability of lighting during O&M period. |
| 2. | Corridor Access for Emergency Vehicles | Ensure uninterrupted and efficient access for emergency response teams by permitting toll-free use of Express Lanes and implementing adaptive traffic management systems to maintain optimal traffic flow and prioritize emergency operations. | Emergency vehicles will: <ol style="list-style-type: none"> (a) be exempt from the toll when using the facility to perform their duties; and (b) not be charged any incidental charges (e.g., administrative fees, fees for customary incidental services). |

| # | Working Group Priority | Objective | Key Term |
|----|--|---|--|
| 3. | Transit Usage of Express Lanes for Free | Allows transit vehicles to use the Express Lanes toll-free. | <p>Transit Vehicles will:</p> <ul style="list-style-type: none"> (a) be exempt from the toll; and (b) not be charged any incidental charges (e.g., administrative fees, fees for customary incidental services). <p>"Transit Vehicle" will include non-profit transit agency buses and non-profit transit agency micro-transit operated by the recognized transit agency in the Charlotte Area, Charlotte Area Transit System (CATS), or its successor.</p> |
| 4. | Performance Reporting | Publish regular reports detailing express lane performance, including metrics such as travel time savings, congestion reduction, and revenue use, to demonstrate value to the public. | <p>Developer will be required to provide monthly and annual reporting including:</p> <ul style="list-style-type: none"> (a) operations and maintenance reports (monthly and annual); (b) electronic toll collection system activity report (monthly); and (c) traffic and revenue reports (monthly and annual). <p>The above reports will address (among other things):</p> <ul style="list-style-type: none"> (i) traffic volumes split by Express Lanes and General Purpose Lanes; (ii) traffic volumes split by vehicle type in the Express Lanes; and (iii) revenue by type. |

| # | Working Group Priority | Objective | Key Term |
|----|---|--|--|
| | | | The contract will expressly stipulate that NCDOT may disclose the information in (i)-(iii), and that Developer cannot assert that it is confidential, trade secrets, or proprietary information. |
| 5. | Transparent Toll Rates | Offer easily accessible, user-friendly platforms that display historical toll data and predictive pricing to help drivers better anticipate costs before entering the lanes. | <p>The Developer will be required to provide and maintain user-facing, public access platforms, including mobile apps and other relevant technologies meeting then-current industry standards, which use historical toll data to facilitate predictive pricing.</p> <p>The Developer will be required to provide an accessible API or equivalent dataset or data structure containing the same information.</p> |
| 6. | Toll Rates During Emergency Declarations | Regulate toll rates during emergencies to ensure accessibility. | <p>Suspension of Tolls During Emergency/Disaster</p> <p>In the <i>limited</i> circumstances below, NCDOT may suspend tolls on the facility if NCDOT or the State designates the facility:</p> <ul style="list-style-type: none"> (a) as a route to respond to a disaster proclaimed by the Governor or his/her designee (i.e. evacuation route or route to provide emergency services); (b) as a route to respond to a Presidential Disaster Proclamation (i.e. evacuation route or route to provide emergency services); (c) for immediate use as an evacuation route from an Emergency; or (d) as a route to respond to an Emergency (i.e. to provide emergency services). |

| # | Working Group Priority | Objective | Key Term |
|---|---------------------------|-----------|--|
| | | | <p>NCDOT will have no liability to compensate Developer for the suspension of tolls, provided that NCDOT:</p> <ul style="list-style-type: none"> (i) also suspends tolls on other NCDOT operated or controlled facilities that are situated to directly facilitate travel from the evacuation area/disaster; and (ii) lifts suspension as soon as the need to use the facility for evacuation or disaster response ceases, (otherwise, Developer can claim compensation for increased costs and loss of toll revenue). <p>Temporary Cap on Tolls During Emergency/Disaster</p> <p>In the <i>limited</i> circumstances below, NCDOT may require the Developer to cap toll rates on the facility if any of the following cause a temporary increase in traffic on the facility:</p> <ul style="list-style-type: none"> (a) an Emergency; (b) a disaster proclaimed by the governor or his/her designee; or (c) a disaster that is subject to a Presidential Disaster Proclamation. <p>NCDOT will have no liability to compensate Developer for capping tolls, provided that NCDOT:</p> <ul style="list-style-type: none"> (i) caps tolls on other NCDOT operated or controlled facilities that also experience an increase in traffic due to the disaster/Emergency; and |

| # | Working Group Priority | Objective | Key Term |
|----|---|---|--|
| | | | <p>(ii) lifts the caps promptly after the increase in traffic due to the disaster/Emergency ceases,</p> <p>(otherwise, Developer can claim compensation for increased costs and loss of toll revenue).</p> <p>Developer Relief from Performance Requirements During Emergency</p> <p>Developer is relieved of its obligation to meet operating speed performance requirements during any period where NCDOT has:</p> <ul style="list-style-type: none"> (a) suspended tolls; or (b) capped tolls, <p>in respect of a declared disaster or Emergency, both as set out above.</p> <p>Relevant definitions</p> <p>"Emergency" means an unplanned event within the project right of way that threatens property, the environment, safety of users, or is otherwise recognized as an emergency by a governmental entity.</p> <p>"Presidential Disaster Declaration" means a declaration of a major disaster by the President of the United States triggering assistance from the Federal Emergency Management Agency.</p> |
| 7. | Real-Time Road Condition Updates for the Express Lanes | Implement technology to share live updates on traffic conditions, incidents, and lane availability to | Developer will be required to implement on-road Intelligent Transportation Systems (ITS) and Automated Traffic |

| # | Working Group Priority | Objective | Key Term |
|----|---|---|---|
| | | help driver make informed decisions. | <p>Management Systems (ATMS) to ensure real-time information sharing with the public and NCDOT, including:</p> <ul style="list-style-type: none"> (a) use of dynamic message signs to notify users of current toll rates, travel conditions, and travel times; (b) real-time delivery directly to NCDOT of ITS and ATMS data (including CCTV camera feeds, travel conditions, toll pricing, and travel speeds and times) for use in regional traffic management and public information dissemination; and (c) reasonable updates to the ITS and ATMS based on evolving technology. |
| 8. | Real-Time Transit Information System for the Express Lanes | Calls for the implementation of smart technology to deliver real-time updates to transit users. | Developer will be required to implement the ITS and ATMS to deliver real-time road conditions (including toll rates, travel conditions, and travel speeds and times) to be distributed to NCDOT and other transit agencies which may then be distributed to transit users. |
| 9. | DBE Outreach | Require DBE outreach prior to construction. | <p>The Developer will be required under the Agreement to comply with DBE requirements in accordance with, and subject to, State and Federal law.</p> <p>The DBE goal will be defined as % of design and construction work payable under the contract.</p> <p>As part of the DBE requirements, Developer will submit an open-ended DBE performance plan with its proposal.</p> <p>The open-ended DBE performance plan will be required to describe, among other topics, the processes the Developer will</p> |

| # | Working Group Priority | Objective | Key Term |
|---|---------------------------|-----------|--|
| | | | <p>use to satisfy the DBE requirements, including its plan for outreach prior to construction, as follows:</p> <ul style="list-style-type: none"> (a) development of a proactive outreach program for DBEs; (b) collaboration with NCDOT to utilize applicable and relevant resources from its existing DBE program; (c) conducting mandatory outreach events directed at DBE firms after execution of the contract; and (d) assistance for DBEs in identifying subcontracting opportunities on the Project. |