LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – PRESERVATION OF EXISTING PROPERTY (TOLL FACILITIES).
(REV 7-22-14) (FA 10-15-14) (FY 2027-28)

SUBARTICLE 7-11.1 is expanded by the following:

Due to the unique technological nature and complexity of the Department's toll collection system at the Department's owned or operated toll facilities, the Department will utilize one of its toll collection system vendors to perform removals, repairs, replacements and installations of toll collection components damaged by the Contractor. The currently contracted rates of the Department's contract with its tolling vendors will apply towards any removals, repairs, replacements and installations performed by one of the Department's toll collection system vendors. The Department will deduct the cost of the removals, repairs, replacements and installations from any monies due or which may become due to the Contractor under the Contract. Toll collection system components include, but are not limited to the following: automatic vehicle identification system antennae and readers; toll revenue collection and violation enforcement system cameras and illuminators; vehicle detection and classification system devices; vehicle classification and detection roadway loops; roadway treadles; light curtains; patron fare displays; closed circuit television cameras; electronics inside toll buildings or toll booths; automatic coin machines ; automatic ticket issuing machines ; toll lane traffic signals and illuminators; and all directly associated supporting infrastructure including, but not limited to, cabling, connectors, and specialty bracketing, mounts, poles.

SUBARTICLE 7-11.2 is expanded by the following:

When the actions of the Contractor result in the loss of toll revenue, the Contractor shall be responsible for the revenue loss based on the total number of hours during the days in which toll revenues remain uncollected. The amount of uncollected toll revenue will be calculated by adding the hourly toll revenue for a representative weekday or weekend day over all the days in which tolls are not collected. Days showing unusually high or low traffic patterns will be replaced with revenue corresponding to normal traffic days within the last month. Hourly revenues for a representative weekday are calculated by averaging the revenues in the same hour during the previous 10 consecutive weekdays prior to the damage. Hourly revenues for a representative weekend day are calculated by averaging the revenues in the same hour during the previous 4 consecutive weekend days prior to the damage. For partial days of interrupted service, uncollected toll revenues will be limited to those hours in the representative weekday or weekend day that correspond to the specific hours when the Department's toll infrastructure is not fully operational due to damages sustained. For the purpose of this estimate, partial hours will be rounded to the nearest full hour.