

APPENDIX L

**PAYMENT ARRANGEMENTS ACCORDING TO SECTIONS 8 AND 9(B) OF
THE TOLL ROAD LAW**

APPENDIX L

1. General

The purpose of this Appendix is to define the terms and conditions regarding the following operating procedures:

- a. Initiated Highway Closure Period, in which the Implementing Authority may interrupt the operation of the Highway.
- b. Traffic diversion, in which a police officer may divert Vehicles into the Highway.
- c. Absolved Toll Revenues due to traffic events which cause traffic stoppage of over 20 minutes on any part of a Toll Section on the Highway.

The provisions of this Appendix L (*Payment Arrangements According to Sections 8 and 9(b) of the Toll Road Law*) shall not derogate from any of the provisions of the Concession Agreement with respect to the Highway, and shall be deemed as supplementing such provisions.

All terms used in this Appendix shall have the definitions ascribed to them herein or in Appendix A.

All provisions of this Appendix L (*Payment Arrangements According to Sections 8 and 9(b) of the Toll Road Law*), shall not constitute Change Orders in accordance with Appendix F (*Change Order*).

2. Initiated Highway Closure

The Implementing Authority reserves the right to apply “**Initiated Highway Closure Periods**” upon the Highway, during which the Implementing Authority shall have the right to provide the Concessionaire with instructions regarding access to and use of the Highway.

Initiated Highway Closure Periods may be applied throughout the Commercial Operation Phase and throughout the Partial Operation and Maintenance of a Section of the Highway.

The Implementing Authority shall provide the Concessionaire 48 hours prior to the commencement of Initiated Highway Closure Period.

The Concessionaire shall not be entitled to any compensation with respect to any of the following Initiated Highway Closure Periods:

- (a) Initiated Highway Closure Peak Periods which do not exceed, in aggregate, 40 hours, per Year;
- (b) Initiated Highway Closure Off-Peak Periods which do not exceed, in aggregate, 40 hours, per Year

In the event the number of Initiated Highway Closure Peak Periods, applied by the Implementing Authority, in a given Year exceeds 40 hours, in aggregate, the Concessionaire shall be entitled to Compensation regarding such Initiated Highway Closure Peak Periods, excluding the initial 40 hours of Initiated Highway Closure Peak Periods, in accordance with Section 7.8.2 (*Interruption Following the Date of Issuance of Permit to Operate; Effects*) of the Concession Agreement.

In the event the number of Initiated Highway Closure Off-Peak Periods, applied by the Implementing Authority, in a given Year exceeds 40 hours, in aggregate, the Concessionaire shall be entitled to Compensation regarding such Initiated Highway Closure Off-Peak Periods, excluding the initial 40 hours of Initiated Highway Closure Off-Peak Periods, in accordance with Section 7.8.2 (*Interruption Following the Date of Issuance of Permit to Operate; Effects*) of the Concession Agreement.

It is hereby clarified that the provisions of this Section 2 (*Initiated Highway Closure*) shall be independent of the number of Initiated Closure Periods implemented in any previous Year, whether exceeding or not exceeding 40 hours of Initiated Closure Peak or off-Peak Periods.

3. Traffic Diversion

Traffic Diversion may be applied throughout the Commercial Operation Phase, and throughout the Partial Operation and Maintenance of a Section of the Highway.

In the event that due to a Security Event, an authorized Police officer shall divert traffic into the Highway, the Concessionaire shall report the details of such event to the Implementing Authority.

In the event the Implementing Authority shall approve that the event is a Security Event, the Concessionaire shall not charge such Vehicles, which were diverted to a Route on Section 3 or Section 7 (as applicable), Toll Tariffs, in accordance with Appendix E (*Toll Tariffs*), and such Vehicles shall not be taken into account for the purpose of calculating the AATR in accordance with Section 3 (*Actual Toll Revenues*) of Appendix D1 (*Toll Revenue Guarantee*).

4. Absolved Toll Revenues due to Traffic Events

Throughout the Commercial Operation Phase, and the Partial Operation and Maintenance of a Section of the Highway, in the event of a traffic event in accordance with Section 1.4 (*Exemption from Toll Due to Traffic Event*) of Appendix E (*Toll Tariffs*), Vehicles which were exempted from the payment of

Tolls, in accordance with Section 1.4 (*Exemption from Toll Due to Traffic Event*) of Appendix E (*Toll Tariffs*), on either Section 3 or Section 7 due to such traffic event, shall not be taken into account when calculating the AATR in accordance with Section 3 (*Actual Toll Revenues*) of Appendix D1 (*Toll Revenue Guarantee*).

5. Definitions

Initiated Highway Closure Period	Shall describe a 15 minutes period in which the operation of a single Route on a single Toll Section of the Highway is interrupted by the Implementing Authority in accordance with Section 2 (<i>Initiated Highway Closure</i>) of this Appendix L (<i>Payment Arrangements According to Sections 8 and 9(b) of the Toll Road Law</i>). For the removal of doubt, an Initiated Highway Closure Period which applies to more than one Route on a Toll Section of the Highway, or on more than one Toll Section of the Highway shall be regarded as 2 or more (as applicable) Initiated Highway Closure Periods, even if such periods overlap.
Initiated Highway Closure Peak Period	An Initiated Highway Closure Period which begins during Peak Hours in accordance with Appendix E (<i>Toll Tariffs</i>).
Initiated Highway Closure Off-Peak Period	An Initiated Highway Closure Period which begins during Off-Peak Hours in accordance with Appendix E (<i>Toll Tariffs</i>).
Security Event	An event in which the Implementing Authority determines that the safety of Vehicles or of the population is threatened or endangered in accordance with Section 3 (<i>Traffic Diversion</i>) of this Appendix L (<i>Payment Arrangements According to Sections 8 and 9(b) of the Toll Road Law</i>).
Traffic Diversion	As defined in Section 3 (<i>Traffic Diversion</i>) of this Appendix L (<i>Payment Arrangements According to Sections 8 and 9(b) of the Toll Road Law</i>).