

Annex YMethod of Determining Revenues from Tolls1. CTA Traffic Counting Devices

Without derogating from the provisions of Annex H, in addition to the traffic counting devices installed, operated and maintained by the Concessionaire, the CTA reserves the right to install, operate and maintain traffic counting devices, independent of the traffic counting devices of the Concessionaire. Without limiting the rights of the CTA, it is anticipated that a separate measuring device shall be installed at each entrance to the Project (within the boundaries of the LOS and the Detailed Scheme but not within the scope of the Project).

The Concessionaire will not be entitled to rely on any data generated by CTA traffic counting devices for the purposes of Section 15A to this Agreement, however, the Concessionaire will be permitted to conduct a daily comparison of the data generated by the respective counting devices in order to endeavor to avoid discrepancies in excess of 1% (one percent).

2. In the event that the CTA exercises its rights pursuant to Section 1 above, and the Actual Revenues based on the data generated by the CTA's traffic counting devices exceeds the Actual Revenues reported by the Concessionaire based on the data generated by the Concessionaire's traffic counting devices, then the data generated by the CTA's traffic counting devices shall prevail.

3. In the event the number of Vehicles reported in the Semi-Annual Report and/or the Annual Report is less than the actual number of Vehicles determined in accordance with the provisions of Section 8 of Annex X Part I and/or Section 2 to this Annex, the Toll Charge for each such differential Vehicle, for the purposes of determining the Semi-Annual Actual Revenue and/or the Actual Revenue, shall be calculated on the basis of the applicable Toll Charge (as such Toll Charges are determined by the Concessionaire from time to time in accordance with the provisions of this Agreement).