

COST PARTICIPATION AGREEMENT

ADDITIONAL CONSTRUCTION

Avon Road

City of Rochester Hills

Board Project No. 55233

This Agreement, made and entered into this _____ day of _____, 2021, by and between the Board of County Road Commissioners of the County of Oakland, Michigan, hereinafter referred to as the BOARD, and the City of Rochester Hills, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD has programmed the removal and replacement of the Avon Road structure over Clinton River and the roundabout construction, which improvements involve roads under the jurisdiction of the BOARD and within the COMMUNITY, said improvements are hereinafter referred to as the PROJECT; and

WHEREAS, the PROJECT shall also include the additional sanitary and water main work, all together with necessary work, located on Avon Road, which improvements are beyond the PROJECT limits, and are hereafter referred to as ADDITIONAL CONSTRUCTION items; and

WHEREAS, the estimated total cost associated with said ADDITIONAL CONSTRUCTION items is \$267,241; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the funding of the ADDITIONAL CONSTRUCTION items and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, it is hereby agreed between the COMMUNITY and the BOARD that:

1. The BOARD shall forthwith undertake and complete the PROJECT, including the ADDITIONAL CONSTRUCTION items, as above described, and shall perform the engineering, inspection, and the administration in reference thereto.

2. The actual total cost of the ADDITIONAL CONSTRUCTION items, as determined by the BOARD, shall include total payments to the contractor. Any costs incurred by the RCOC prior to this agreement date shall be allowable.
3. The actual cost of the ADDITIONAL CONSTRUCTION items as determined by the BOARD along with any overages shall be funded solely by the COMMUNITY, estimated in the amount of \$267,241.
4. Upon execution of this Agreement, the BOARD shall submit an invoice to the COMMUNITY for \$267,241 (being 100% of the cost of the ADDITIONAL CONSTRUCTION items).
5. Upon receipt of said invoices, the COMMUNITY shall pay to the BOARD the full amount thereof, within thirty (30) days of such receipt.
6. The COMMUNITY shall be responsible for additional sanitary and water main work.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

BOARD OF ROAD COMMISSIONERS OF THE
COUNTY OF OAKLAND
A Public Body Corporate

By _____

Its _____

CITY OF ROCHESTER HILLS

By _____

Its _____