

COST PARTICIPATION AGREEMENT

ADDITIONAL CONSTRUCTION

Tienken Road Bridge
Over Stony Creek

City of Rochester Hills

BOARD Project Number 49293

This Agreement, made and entered into this _____ day of _____, 2010, by and between the Board of Road Commissioners for 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 replacement of the Tienken Road Bridge over Stony Creek, 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 construction of a non-motorized path, signal pole/signage installation and vintage bridge railing refurbishment and altogether with necessary work located along the Tienken Road Bridge over Stony Creek, which improvements are beyond the PROJECT limits, and is hereinafter referred to as ADDITIONAL CONSTRUCTION items; and

WHEREAS, the estimated total cost associated with said ADDITIONAL CONSTRUCTION items is \$131,000; 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 and construction engineering.
3. The actual cost of the ADDITIONAL CONSTRUCTION as determined by the BOARD along with any overages shall be funded solely by the COMMUNITY, estimated in the amount of \$131,000.
4. Upon execution of this Agreement, the BOARD shall submit an invoice to the COMMUNITY for \$65,500 (being 50% of the estimated total cost of the ADDITIONAL CONSTRUCTION items).
5. Upon completion of the ADDITIONAL CONSTRUCTION, the BOARD shall determine the total actual ADDITIONAL CONSTRUCTION cost and submit an invoice to the COMMUNITY for the remainder of the COMMUNITY'S share of the actual total ADDITIONAL CONSTRUCTION cost.
6. Upon receipt of said invoice, the COMMUNITY shall pay to the BOARD the full amount thereof, within thirty (30) days of such receipt.

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

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

By _____

Its _____

CITY OF ROCHESTER HILLS

By _____
Bryan K. Barnett

Its Mayor _____