

COST PARTICIPATION AGREEMENT

PRELIMINARY ENGINEERING

Crooks Road

Starr-Batt to N. of Hamlin

City of Rochester Hills

BOARD Project Number 50841

This Agreement, made and entered into this _____ day of _____, 2011, 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, the COMMUNITY, have programmed the preliminary engineering for the reconstruction and widening of Crooks Road from Starr-Batt Drive to north of Hamlin Road, as described in Exhibit "A", attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD, which improvements are hereinafter referred to as the DESIGN; and

WHEREAS, the estimated total cost of the DESIGN is \$150,000 and

WHEREAS, a portion of said DESIGN involves certain designated and approved funding in accordance with the Tri-Party Program, in the amount of \$75,000 for the COMMUNITY'S share of the DESIGN, which amount shall be paid through equal contributions by the BOARD, the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY, and the COMMUNITY, respectively; and

WHEREAS, the parties hereto have reached a mutual understanding regarding the cost sharing of the DESIGN and wish to commit that understanding to writing in this Agreement.

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

1. The COMMUNITY approves of the DESIGN, declares its public necessity, and authorizes the BOARD to perform or cause to be performed, and complete the DESIGN along with all administration in reference thereto.
2. The performance of preliminary engineering may include, but is not limited to a field survey of the project, the development of a preliminary plan showing the proposed roadway design and pavement cross section, the identity of potential issues affecting the proposed widening and associated paving, the preparation of a set of plans showing the existing conditions including property lines and rights of way, obtaining utility information and mapping it on the plans, the preparation of final road plans and opinions of probably cost, obtaining soil borings in the project area, the preparation of specifications, bid documents, and preparation of MDOT acceptable plans, specifications and estimates and other related work necessary to develop the complete design.
3. The cost of the DESIGN shall be funded in accordance with the following:
 - a. The BOARD shall contribute \$75,000 to the cost of the DESIGN.
 - b. The COMMUNITY shall utilize Tri-Party Program funds estimated in the amount of \$75,000 toward the cost of the DESIGN.
4. Upon execution of this Agreement, the BOARD shall submit an invoice to the COMMUNITY for \$12,500 (being 50% of the COMMUNITY'S share of the estimated total DESIGN cost).
5. After execution of the Agreement, the BOARD shall submit an invoice to the COUNTY on May 9, 2011 for \$12,500 (being 50% of the BOARD'S share of the estimated total DESIGN cost).
 - a. The invoice shall be sent to:

Mr. Tim Soave, Manager of Fiscal Services
Executive Office Building
2100 Pontiac Lake Road, Building 41 West
Waterford, MI 48328

6. As costs of the DESIGN are incurred, the BOARD shall invoice the COMMUNITY for the remaining 50% of the COMMUNITY'S total contribution, not to exceed \$12,500.
7. As costs of the DESIGN are incurred, the BOARD shall invoice the COUNTY for the remaining 50% of the COUNTY'S total contribution, not to exceed \$12,500.
8. Upon receipt of said invoices, the COMMUNITY and the COUNTY 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 _____

Its _____

By _____

Its _____

EXHIBIT A

TRI-PARTY PROGRAM

2011

County Supported Road Improvements

Crooks Road

From Starr-Batt Drive to north of Hamlin Road

City of Rochester Hills

BOARD PROJECT NO. 50841

The performance of preliminary engineering may include, but is not limited to a field survey of the project, the development of a preliminary plan showing the proposed roadway design and pavement cross section, the identity of potential issues affecting the proposed widening and associated paving, the preparation of a set of plans showing the existing conditions including property lines and rights of way, obtaining utility information and mapping it on the plans, the preparation of final road plans and opinions of probable cost, obtaining soil borings in the project area, the preparation of specifications, bid documents, preparation of MDOT acceptable plans, specifications and estimates and other related work necessary to develop the complete design.

ESTIMATED DESIGN COST

Preliminary Engineering	\$150,000
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COST PARTICIPATION BREAKDOWN

	COMMUNITY	COUNTY	BOARD	TOTAL
Contribution	\$ 0	\$ 0	\$ 75,000	\$ 75,000
FY10 Tri-Party Program	12,080	12,081	12,080	\$ 36,241
FY11 Tri-Party Program	12,920	12,919	12,920	\$ 38,759
TOTAL SHARES	<u>\$ 25,000</u>	<u>\$ 25,000</u>	<u>\$100,000</u>	<u>\$150,000</u>