

COST PARTICIPATION AGREEMENT

CONSTRUCTION

Dequindre Road

South Boulevard to Auburn Road

City of Rochester Hills

BOARD PROJECT NO. 50681

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 ROCHESTER HILLS, provides as follows:

WHEREAS, the BOARD, ROCHESTER HILLS, Shelby Township, hereinafter referred to as SHELBY, the City of Troy, hereinafter referred to as TROY and the Macomb County Department of Roads, hereinafter referred to as MACOMB, in cooperation with the Michigan Department of Transportation, hereinafter referred to as MDOT, have programmed the resurfacing of Dequindre Road from South Boulevard to Auburn Road, described in Exhibit "A", attached hereto and made a part hereof. The improvements involve roads under the jurisdiction of the BOARD, and are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$1,620,000; and

WHEREAS, the BOARD will enter into a contract with MDOT for partial funding of the PROJECT with federal program dollars under the Federal Surface Transportation Program Fund in the amount of \$1,127,000; and

WHEREAS, the BOARD, as the requesting party therein, will be the party financially responsible to MDOT to bear all costs of the PROJECT in excess of federal funds, hereinafter referred to as the LOCAL MATCH; and

WHEREAS, the PROJECT involves certain designated and approved funding in accordance with the Tri-Party Program, in the amount of \$38,500 which amount shall be paid through equal contributions by the BOARD, ROCHESTER HILLS, and the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY; and

WHEREAS, all the parties hereto have reached a mutual understanding regarding the cost sharing for the LOCAL MATCH 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 ROCHESTER HILLS and the BOARD that:

1. ROCHESTER HILLS, TROY, SHELBY, and MACOMB approve of the PROJECT, declare its public necessity, and authorize the BOARD to perform or cause to be performed, and complete the PROJECT along with all administration in reference thereto.
2. The PROJECT shall include construction engineering, force account and total payments to the contractor.
3. The BOARD shall enter into a separate contract with MDOT for partial funding of the PROJECT with federal funds, estimated in the amount of \$1,127,000.
4. The BOARD shall contribute \$185,000 to the LOCAL MATCH for the construction engineering and the force account work.
5. The remaining LOCAL MATCH amount of \$308,000 shall be shared equally between the BOARD and the aforementioned communities, as detailed in Exhibit A.
6. ROCHESTER HILLS has agreed to fund their portion of the LOCAL MATCH using Tri-Party Program funds in the amount of \$38,500.
7. Upon execution of this Agreement, the BOARD shall submit an invoice to ROCHESTER HILLS in the amount of \$12,833 (being 100% of the ROCHESTER HILLS' Tri-Party Contribution).
8. After execution of this agreement the BOARD shall submit an invoice to the COUNTY for \$12,833 (being 100% of the COUNTY'S Tri-Party Contribution) on August 11, 2011.

- 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

9. The total actual LOCAL MATCH will be determined from the records of the BOARD upon completion of State financial audits of the PROJECT and a final determination of the total federal funds used on the PROJECT. Final adjustments in the financial obligations of the parties hereto will be made upon completion of the required audits.
10. Upon receipt of said invoice(s), ROCHESTER HILLS 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 _____

EXHIBIT A

2011

Dequindre Road

South Boulevard to Auburn Road

In

City of Rochester Hills

BOARD PROJECT NO. 50681

The resurfacing of Dequindre Road from South Boulevard to Auburn Road.

ESTIMATED PROJECT COST

Contractor Payments	\$1,435,000
Construction Engineering	\$ 175,000
Force Account	\$ 10,000
Less Federal Funds	(\$1,127,000)
LOCAL MATCH	<u>\$ 493,000</u>

COST PARTICIPATION BREAKDOWN

	TROY	MACOMB	ROCHESTER	SHELBY	BOARD	COUNTY	TOTAL
Tri-Party	\$ 0	\$ 0	\$ 12,833	\$ 0	\$ 12,834	\$ 12,833	\$ 38,500
Contribution	0	0	0	0	185,000	0	\$ 185,000
Local Match	38,500	38,500	0	38,500	154,000	0	\$ 269,500
TOTAL	\$ 38,500	\$ 38,500	\$ 12,833	\$ 38,500	\$351,834	\$ 12,833	\$ 493,000