

COST PARTICIPATION AGREEMENT

CONSTRUCTION

Dutton Road

Brewster Road to End of Pavement

City of Rochester Hills

Board Project No. 57802

This Agreement, made and entered into this _____ day of _____, 2024, 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 ROCHESTER HILLS, provides as follows:

WHEREAS, the BOARD, ROCHESTER HILLS, and the Charter Township of Oakland, hereinafter referred to as OAKLAND, have programmed the milling and resurfacing on Dutton Road from Brewster Road to End of Pavement, as described in Exhibit "A", attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD and bordering ROCHESTER HILLS and OAKLAND, which improvements are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$460,000; and

WHEREAS, ROCHESTER HILLS share of said LOCAL SHARE involves certain designated and approved Tri-Party Program funding in the amount of \$115,000, which 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 PROJECT 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. OAKLAND and ROCHESTER HILLS approve of the PROJECT, declare its public necessity, and authorizes 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 total payments to the contractor. Any costs incurred by the BOARD prior to this agreement date shall be allowable.
3. The estimated total PROJECT cost is \$460,000 and shall be invoiced in the following order:
 - a. ROCHESTER HILLS shall contribute \$115,000 toward the PROJECT and will fund this share from the Tri-Party Program.

OAKLAND shall contribute \$115,000 toward the PROJECT and will fund this share from the Tri-Party Program.
 - b. The BOARD shall contribute \$230,000 toward the project.
 - c. Any PROJECT costs above \$460,000 will be funded 100% by the BOARD.

4. Upon execution of this agreement, the BOARD shall submit an invoice to ROCHESTER HILLS in the amount of \$38,333 (being 100% of ROCHESTER HILLS Tri-Party contribution).
5. Upon execution of this agreement, the BOARD shall submit an invoice to the COUNTY in the amount of \$38,333 (being 100% of the COUNTY'S Tri-Party contribution).
 - a. The invoice shall be sent to:

Manager of Fiscal Services
Executive Office Building
2100 Pontiac Lake Road, Building 41 West
Waterford, MI 48328
6. 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.
7. The BOARD shall execute a separate Cost Participation Agreement with OAKLAND, for their share of the estimated PROJECT cost.

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 _____

EXHIBIT A

TRI-PARTY PROGRAM

Dutton Road

Brewster Road to End of Pavement

City of Rochester Hills

Board Project No. 57802

Mill overlay on Dutton Road from Brewster Road to End of Pavement.

ESTIMATED PROJECT COST

Contractor Payments	<u>\$460,000</u>
Total Estimated Local Share	<u><u>\$460,000</u></u>

COST PARTICIPATION BREAKDOWN

	OAKLAND	ROCHESTER HILLS	COUNTY	BOARD	TOTAL
Tri-Party Program	\$38,333	\$38,333	\$76,666	\$76,668	\$230,000
Contribution	\$0	\$0	\$0	\$230,000	\$230,000
TOTAL SHARES	\$38,333	\$38,333	\$76,666	\$306,668	\$460,000