

**COST PARTICIPATION AGREEMENT**

**CONSTRUCTION**

Livernois Road

South Boulevard to Avon Road

City of Rochester Hills

Board Project No. 56711

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, 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 and the COMMUNITY have programmed the resurfacing of Livernois Road from South Boulevard to Avon Road, as described in Exhibit "A", attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD and within the COMMUNITY, which improvements are hereinafter referred to as the PROJECT; and

WHEREAS the estimated total cost of the PROJECT is \$825,000; and

WHEREAS, said PROJECT involves certain designated and approved Tri-Party Program funding in the amount of \$412,500, which amount shall be paid through equal contributions by the BOARD, the COMMUNITY, and the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the cost sharing of 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 the COMMUNITY and the BOARD that:

1. The COMMUNITY approves of the PROJECT, declares 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 of \$825,000 shall be invoiced simultaneously and proportionately as follows:
  - a. Tri-Party Program funding in the amount of \$412,500.
  - b. The BOARD shall contribute \$412,500 toward the LOCAL SHARE.
  - c. Any PROJECT costs above the Tri-Party Program funding of \$825,000 will be funded 100% by the BOARD.
4. Upon execution of this agreement, the BOARD shall submit an invoice to the COMMUNITY in the amount of \$137,500 (being 100% of the COMMUNITY'S Tri-Party contribution).
5. After execution of this agreement and approval by the COUNTY, the BOARD shall submit an invoice to the COUNTY in the amount of \$137,500 (being 100% of the COUNTY'S Tri-Party contribution).
  - a. The invoice shall be sent to:  
  
Lynn Sonkiss, Manager of Fiscal Services  
Executive Office Building  
2100 Pontiac Lake Road, Building 41 West  
Waterford, MI 48328
6. Upon receipt of said invoice(s), 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 OF THE  
COUNTY OF OAKLAND  
A Public Body Corporate

By \_\_\_\_\_

Its \_\_\_\_\_

CITY OF ROCHESTER HILLS

By \_\_\_\_\_

Its \_\_\_\_\_

**EXHIBIT A**  
**TRI-PARTY PROGRAM**  
 Livernois Road  
 South Boulevard to Avon Road  
 City of Rochester Hills  
 Board Project No. 56711

Resurfacing Livernois Road from South Boulevard to Avon Road.

<b>ESTIMATED CONSTRUCTION COST</b>
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Contractor Payments:	\$825,000
Total Estimated Project Cost:	\$825,000

<b>COST PARTICIPATION BREAKDOWN</b>
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	COMMUNITY	COUNTY	BOARD	TOTAL
FY2020 Tri-Party Program	\$41,091	\$41,090	\$41,090	\$123,271
FY2021 Tri-Party Program	\$96,409	\$96,410	\$96,410	\$289,229
Contribution			\$412,500	\$412,500
<b>TOTAL SHARES</b>	<b>\$137,500</b>	<b>\$137,500</b>	<b>\$550,000</b>	<b>\$825,000</b>