

COST PARTICIPATION AGREEMENT

PRELIMINARY ENGINEERING

Crooks Road

City of Rochester Hills

BOARD Project 49581

This Agreement, made and entered into this _____ day of _____, 2008, 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 and the COMMUNITY have programmed the preliminary engineering for milling the existing pavement with a 3 inch asphalt overlay on Crooks Road from M-59 to Hamlin 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 DESIGN; and

WHEREAS, the estimated total cost of the DESIGN is \$57,000 and

WHEREAS, said DESIGN involves certain designated and approved Tri-Party Program funding in accordance with the Tri-Party Program, in the amount of \$57,000 which amount shall be paid through equal contributions by the BOARD, the COMMUNITY and the Oakland County Board of Commissioners, hereinafter referred to a the COUNTY; and

WHEREAS, the BOARD and the COMMUNITY 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 cost of the DESIGN shall be funded in accordance with the following:
 - a. Tri-Party Program funds in the estimated amount of \$57,000.
 - b. The BOARD shall apply to the DESIGN cost, the COUNTY'S Tri-Party contribution of \$19,000, together with the BOARD'S Tri-Party contribution in an amount equal thereto.
 - c. The COMMUNITY may use the accumulations of annual Tri-Party Program allotments to offset any overages, up to and inclusive of the 2008 Tri-Party Program.
3. Upon execution of this Agreement, the BOARD shall submit an invoice to the COMMUNITY for \$9,500 (being 50% of the COMMUNITY'S share of the estimated total DESIGN cost).
4. Upon completion of the DESIGN, the BOARD shall determine the total actual DESIGN cost and submit an invoice to the COMMUNITY for the remainder of the COMMUNITY'S share of the actual total DESIGN cost.
5. 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 _____

EXHIBIT A

TRI-PARTY PROGRAM

2008

County Supported Road Improvements

Crooks Road

In The

City of Rochester Hills

BOARD PROJECT NO. 49581

The performance of preliminary engineering which 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 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 plans and opinions of probable cost, obtaining soil borings in the project area, the preparation of specifications and bid documents and other related work necessary to develop the complete design.

ESTIMATED DESIGN COST

Preliminary Engineering	\$57,000
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COST PARTICIPATION BREAKDOWN

	COMMUNITY	COUNTY	BOARD	TOTAL
Tri-Party Program	19,000	19,000	19,000	\$57,000
TOTAL SHARE	<u>\$19,000</u>	<u>\$19,000</u>	<u>\$19,000</u>	<u>\$57,000</u>