

## **COST PARTICIPATION AGREEMENT**

Planning and Environmental Linkage Study/Environment Assessment and Right of Way

Adams Road (Hamlin Road to Walton Boulevard)

City of Rochester Hills

Project No:

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2021 ("Agreement"), by and between the Board of County Road Commissioners of the County of Oakland, Michigan, hereinafter referred to as the BOARD, the City of Rochester Hills, hereinafter referred to as the COMMUNITY, and Oakland University, hereinafter referred to as the UNIVERSITY, provides as follows:

WHEREAS, the BOARD, the COMMUNITY, and the UNIVERSITY have programmed for the planning and environmental linkage study ("PEL") and environmental assessment ("EA") related to the improvement of Adams Road from north of Hamlin Road to Walton Boulevard, located within the COMMUNITY, as described in Exhibit "A", attached hereto, and made a part hereof, which Adams Road is under the jurisdiction of the BOARD, and which said improvement is hereinafter referred to as the PROJECT; and

WHEREAS, the BOARD has received \$2,000,000.00 in grant money from the United States Department of Transportation; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the cost sharing for the local share for the PEL and EA for the Project and wish to commit that understanding to writing in this Agreement; and

WHEREAS, the BOARD and the UNIVERSITY have reached a mutual understanding regarding the conveyance of Right of Way 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 the COMMUNITY, the BOARD, and the UNIVERSITY that:

1. The COMMUNITY approves of the PEL and the EA of the PROJECT, declares its public necessity, and authorizes the BOARD to perform or cause to be performed,

and complete the PEL and the EA of the PROJECT along with all administration in reference thereto.

2. The estimated cost for the PEL and EA of the PROJECT is \$2,500,000 and shall be funded as follows:
  - a. The BOARD was awarded a Better Utilizing Investments to Leverage Development or "BUILD" Transportation grant in the amount of \$2,000,000.00 by the United States Department of Transportation ("Build Grant"), and the entire amount of the Build Grant will be contributed to the cost for the PEL and EA of the Project.
  - b. The COMMUNITY shall contribute a total amount not to exceed \$250,000.00 for the PEL and EA of the PROJECT.
  - c. The BOARD shall contribute \$250,000.00 for the PEL and EA of the PROJECT.
  - d. The COMMUNITY and BOARD agree that any overages shall be funded 100% by the BOARD.
7. After execution of this Agreement the BOARD shall submit an invoice to the COMMUNITY for \$125,000.00 (being 50% of the COMMUNITY'S total contribution for the cost of the PEL and EA of the Project).
8. Upon PROJECT completion, the BOARD shall invoice the COMMUNITY for the remaining \$125,000.00.
9. Upon receipt of said invoices, the COMMUNITY shall pay to the BOARD the full amount thereof, within thirty (30) days of such receipt.

10. Once the PEL and EA are completed, the UNIVERSITY agrees to convey to the BOARD, the necessary right of way required for the PROJECT.

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 \_\_\_\_\_

OAKLAND UNIVERSITY

By \_\_\_\_\_

Its \_\_\_\_\_