

COST PARTICIPATION AGREEMENT

PRELIMINARY ENGINEERING

Washington Road Paving

City of Rochester Hills

BOARD Project Number 49131

This Agreement, made and entered into this _____ day of _____, 2007, 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, and in cooperation with the City of Rochester, hereinafter referred to as ROCHESTER, have programmed the preliminary engineering for the gravel road paving of Washington Road located along the border of ROCHESTER and ROCHESTER HILLS, as described in Exhibit "A", attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD, which improvements are hereinafter referred to as the DESIGN; and

WHEREAS, the estimated total cost of the DESIGN is \$170,000 and

WHEREAS, a portion of said DESIGN involves certain designated and approved funding in accordance with the Tri-Party Program, in the amount of \$85,000 for ROCHESTER'S share of the PROJECT, and in the amount of \$85,000 for ROCHESTER HILLS' share of the PROJECT, which amounts shall be paid through equal contributions by the BOARD, the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY, ROCHESTER and ROCHESTER HILLS, respectively; and

WHEREAS, the parties hereto 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 ROCHESTER, ROCHESTER HILLS, and the BOARD that:

1. ROCHESTER, ROCHESTER HILLS, and the BOARD approve of the DESIGN, declare its public necessity, and authorize 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 \$85,000.
 - b. The BOARD shall administer the payments towards the DESIGN cost for the COUNTY'S Tri-Party contribution of \$28,333, together with the BOARD'S Tri-Party contribution in an amount equal thereto.
 - c. ROCHESTER HILLS may use the accumulations of annual Tri-Party Program allotments to offset any overages, up to and inclusive of the 2007 Tri-Party Program, if necessary.
3. Upon execution of this Agreement, the BOARD shall submit an invoice to ROCHESTER HILLS for \$14,167 (being 50% of ROCHESTER HILLS' share of the estimated total DESIGN cost).
4. Upon completion of the DESIGN work, the BOARD shall determine the total actual DESIGN cost and submit an invoice to ROCHESTER HILLS for the remainder of ROCHESTER HILLS' share of the actual total DESIGN cost.
5. Upon receipt of said invoice, ROCHESTER HILLS shall pay to the BOARD the full amount thereof, within thirty (30) days of such receipt.
6. The BOARD shall execute a separate Cost Participation Agreement with ROCHESTER for their share of the estimated total PROJECT cost.

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 _____

By _____

Its _____

EXHIBIT A

TRI-PARTY PROGRAM

2007

County Supported Road Improvements

Washington Road Paving

City of Rochester/City of Rochester Hills

BOARD PROJECT NO. 49131

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 \$170,000

COST PARTICIPATION BREAKDOWN

	ROCHESTER	ROCHESTER HILLS	COUNTY	BOARD	TOTAL
Tri-Party Program	\$28,334	0	\$28,333	\$28,333	\$85,000
Tri-Party Program	0	28,334	28,333	28,333	85,000
TOTAL SHARE	<u>\$28,334</u>	<u>\$28,334</u>	<u>\$56,666</u>	<u>\$56,666</u>	<u>\$170,000</u>