

COST PARTICIPATION AGREEMENT

PRELIMINARY ENGINEERING

Avon Road Bridge Over Clinton River, Board Project Number 50863
Livernois Road Bridge Over Clinton River, Board Project Number 50873
Avon Road at Livernois Road Intersection, Board Project Number 50881
City of Rochester Hills

This Agreement, made and entered into this ____ day of _____, 2011, 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 the future replacement of the Avon Road Bridge over the Clinton River, Livernois Road Bridge over the Clinton River and improvements to the intersection of Avon Road at Livernois 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 \$545,000; 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 performance of preliminary engineering may include, but is not limited to a field survey of the project, the development of a preliminary plan showing the proposed roadway/bridge design and pavement cross section, the identity of

potential issues affecting the proposed bridge replacement and associated paving, the preparation of a set of plans showing the existing conditions including property lines and rights of way, obtaining utility information and mapping on the plans, the preparation of final bridge/road plans and opinions of probable cost, obtaining soil borings in the project area, the preparation of specifications, hydraulic analysis, bid documents, preparation of MDOT acceptable plans, specifications and estimates and other related work necessary to develop the complete design.

3. Upon execution of this Agreement, the BOARD shall submit an invoice to the COMMUNITY for \$136,250 (being 50% of the COMMUNITY'S contribution).
4. As costs of the DESIGN are incurred, the BOARD shall invoice the COMMUNITY for the remaining 50% of the COMMUNITY'S contribution.
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 _____

Its _____

EXHIBIT A

PRELIMINARY ENGINEERING

Avon Road Bridge Over Clinton River, Board Project Number 50863
Livernois Road Bridge Over Clinton River, Board Project Number 50873
Avon Road at Livernois Road Intersection, Board Project Number 50881
City of Rochester Hills

The performance of preliminary engineering may include, but is not limited to a field survey of the project, the development of a preliminary plan showing the proposed roadway/bridge design and pavement cross section, the identity of potential issues affecting the proposed bridge replacement and associated 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 bridge/road plans and opinions of probable cost, obtaining soil borings in the project area, the preparation of specifications, hydraulic analysis, bid documents, preparation of MDOT acceptable plans, specifications and estimates and other related work necessary to develop the complete design.

ESTIMATED DESIGN COST

Avon Road Bridge over Clinton River	\$290,000
Livernois Road Bridge over Clinton River	170,000
Avon Road at Livernois Road Intersection	<u>85,000</u>
TOTAL	\$545,000

COST PARTICIPATION BREAKDOWN

COMMUNITY	BOARD	TOTAL
\$272,500	\$272,500	\$545,000