



CITY COUNCIL ACTION REPORT

June 14, 2011

TO: John Szerlag, City Manager

FROM: Mark Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer

SUBJECT: Approval of Cost Participation Agreement for the Resurfacing of Dequindre Road, from South Boulevard to Auburn Road – Project No. 11.103.6

Recommendation:

Staff recommends that City Council approve the attached Cost Participation Agreement between the City of Troy and the Board of Road Commissioners for Oakland County (Board) for the resurfacing of Dequindre Road, from South Boulevard to Auburn at an estimated cost to the City of Troy of \$38,500. Furthermore, staff recommends that the Mayor and City Clerk be authorized to execute the agreements.

Background:

The Board was able to move this project up from 2013 to 2011 due to a funded project being deferred in another area of the County, freeing up federal funds for the Dequindre project. The project will provide for a resurfacing of Dequindre Road, from South Boulevard to Auburn. The project also includes pedestrian crosswalk upgrades to comply with the Americans with Disabilities Act (ADA).

The Cities of Troy and Rochester Hills requested that the pavement along South Boulevard, to a point approximately 500' west of Dequindre, be included in the project as the pavement is in dire need of repairs. The Board and MDOT agreed to this request and as such the work will be completed as part of the Dequindre project.

The project will be bid through the Michigan Department of Transportation (MDOT) in July. Construction is anticipated to start in September and be open to traffic by late November.

Financial Considerations:

The estimated project cost is \$1,620,000. Federal funds in the amount of \$1,127,000 are available for the project. The local share of \$493,000 is split between Troy, Macomb County Department of Roads, City of Rochester Hills, Shelby Township, the Board and the County of Oakland in accordance with Exhibit A of the agreement. The City of Troy share of the project is estimated at \$38,500.

The total actual local match will be determined from the records of the Board upon completion of the State financial audits of the project and a final determination of the total federal funds used on the project. Final adjustments in the financial obligations of the parties will be made upon completion of the required audits.

Funds for this work are available in the 2011-12 Major Road Fund.

Legal Considerations:

The format and content of the agreement is consistent with previously approved Cost Participation Agreements between the city and Board as approved by the Legal Department and City Council.

Dequindre Road Resurfacing

Road Commission for Oakland County Project #50681





QUALITY LIFE THROUGH GOOD ROADS.
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE"

Board of Road Commissioners

Gregory C. Jamian
Commissioner

Ronald Fowkes
Commissioner

Eric S. Wilson
Commissioner

Brent O. Bair
Managing Director

Dennis G. Kolar, P.E.
Deputy Managing Director

Programming Division
Engineering Department

31001 Lahser Road
Beverly Hills, MI
48025

248-645-2000

FAX
248-645-0618

TDD
248-645-9923

www.rcocweb.org

June 7, 2011

City of Troy
Bill Huotari, Deputy City Engineer
500 West Big Beaver Road
Troy, MI 48084-5285

RE: Dequindre Road, South Boulevard to Auburn Road
RCOC Project #50681
Cost Participation Agreement

Dear Mr. Huotari:

Enclosed for your review and approval are two original sets of the cost participation agreement for the above referenced project.

Please arrange for signatures on, but **do not date**, both original sets and mail them back to me. Our Board will return a fully executed original to you after their action.

Please call me at 248 645-2000, extension 2213, if you should have any questions.

Respectfully,

Shauna Knight, Engineering Aide
Programming Division

Enclosures (2)

RECEIVED

JUN 08 2011

ENGINEERING

COST PARTICIPATION AGREEMENT

CONSTRUCTION

Dequindre Road

South Boulevard to Auburn Road

City of Troy

BOARD PROJECT NO. 50681

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 Troy, hereinafter referred to as TROY, provides as follows:

WHEREAS, the BOARD, TROY, Macomb County Department of Roads, hereinafter referred to as MACOMB, the City of Rochester Hills, hereinafter referred to as ROCHESTER HILLS and Shelby Township, hereinafter referred to as SHELBY, in cooperation with the Michigan Department of Transportation, hereinafter referred to as MDOT, have programmed the resurfacing of Dequindre Road from South Boulevard to Auburn Road, described in Exhibit "A", attached hereto and made a part hereof. The improvements involve roads under the jurisdiction of the BOARD, and are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$1,620,000; and

WHEREAS, the BOARD will enter into a contract with MDOT for partial funding of the PROJECT with federal program dollars under the Federal Surface Transportation Program Fund in the amount of \$1,127,000; and

WHEREAS, the BOARD, as the requesting party therein, will be the party financially responsible to MDOT to bear all costs of the PROJECT in excess of federal funds, hereinafter referred to as the LOCAL MATCH; and

WHEREAS, all the parties hereto have reached a mutual understanding regarding the cost sharing for the LOCAL MATCH 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 TROY and the BOARD that:

1. TROY, MACOMB, ROCHESTER HILLS and SHELBY approve of the PROJECT, declare its public necessity, and authorize 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 construction engineering, force account and total payments to the contractor.
3. The BOARD shall enter into a separate contract with MDOT for partial funding of the PROJECT with federal funds, estimated in the amount of \$1,127,000.
4. The BOARD shall contribute \$185,000 to the LOCAL MATCH for the construction engineering and the force account work.
5. The remaining LOCAL MATCH amount of \$308,000 shall be shared equally between the BOARD and the aforementioned communities, as detailed in Exhibit A.
6. Upon execution of this Agreement, the BOARD shall submit an invoice to TROY in the amount of \$19,250 (being 50% of the TROY'S share).
7. As costs of the PROJECT are incurred, the BOARD shall invoice TROY for the remaining 50% of TROY'S share of the LOCAL MATCH.
8. The total actual LOCAL MATCH will be determined from the records of the BOARD upon completion of State financial audits of the PROJECT and a final determination of the total federal funds used on the PROJECT. Final adjustments in the financial obligations of the parties hereto will be made upon completion of the required audits.
9. Upon receipt of said invoice(s), TROY 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 TROY

By _____

Its _____

EXHIBIT A
2011
Dequindre Road
South Boulevard to Auburn Road
In the
City of Troy
BOARD PROJECT NO. 50681

The resurfacing of Dequindre Road from South Boulevard to Auburn Road.

ESTIMATED PROJECT COST

Contractor Payments	\$1,435,000
Construction Engineering	\$ 175,000
Force Account	\$ 10,000
Less Federal Funds	(\$1,127,000)
LOCAL MATCH	\$ 493,000

COST PARTICIPATION BREAKDOWN

	TROY	MACOMB	ROCHESTER	SHELBY	BOARD	COUNTY	TOTAL
Tri-Party	\$ 0	\$ 0	\$ 12,833	\$ 0	\$ 12,834	\$ 12,833	\$ 38,500
Contribution	0	0	0	0	185,000	0	\$ 185,000
Local Match	38,500	38,500	0	38,500	154,000	0	\$ 269,500
TOTAL	\$ 38,500	\$ 38,500	\$ 12,833	\$ 38,500	\$351,834	\$ 12,833	\$ 493,000