



CITY COUNCIL ACTION REPORT

June 15, 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 Crooks Road, from Banmoor to Fountain – Project No. 11.102.6

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 Crooks Road, from Banmoor to Fountain at an estimated cost to the City of Troy of \$129,000. Furthermore, staff recommends that the Mayor and City Clerk be authorized to execute the agreements.

Background:

The project will provide for a resurfacing of Crooks Road, from Banmoor to Fountain. The project also includes pedestrian crosswalk upgrades to comply with the Americans with Disabilities Act (ADA).

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 \$1,386,000. Federal funds in the amount of \$947,000 are available for the project. The local share of \$439,000 is split between Troy and the Board in accordance with Exhibit A of the agreement. The City of Troy share of the project is estimated at \$129,000.

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.

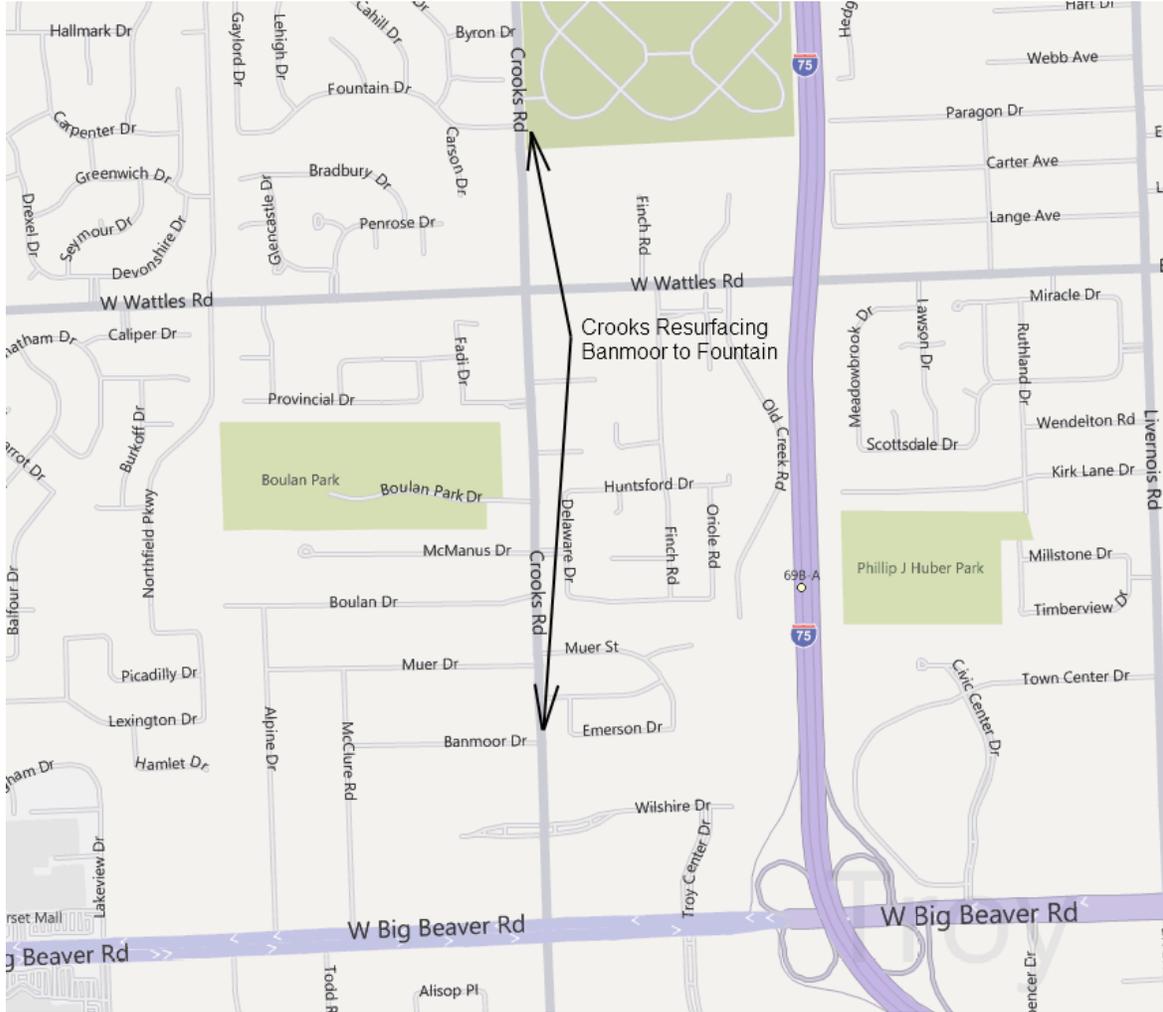
Funds for this work are available in the 2011-12 Major Road Fund.

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.

Crooks Road Resurfacing

Road Commission for Oakland County Project #50671



William J Huotari

From: Shauna Knight [sknight@rcoc.org]
Sent: Tuesday, June 07, 2011 7:30 AM
To: William J Huotari
Cc: Tom Noechel
Subject: Cost Participation Agreement
Attachments: CP.50671.Crooks.Troy.MDOT.doc

Mr. Huotari:

Attached is the cost participation agreement for Crooks Road from south of Banmoor Street to south of Fountain Street.

Please print two (2) copies and arrange for signature(s) but do not date them. Once they have been signed, please mail them back me and our Board will mail you a fully executed contract after they approve it.

If you have any questions, please call me.

Respectfully,

Shauna Knight
Engineering Aide - Programming Division
Road Commission for Oakland County
31001 Lahser Road
Beverly Hills, MI 48025
(248) 645-2000 ext. 2213
sknight@rcoc.org
FAX - (248) 645-1083

COST PARTICIPATION AGREEMENT

CONSTRUCTION

Crooks Road

South of Banmoor Street to South of Fountain Street

City of Troy

BOARD PROJECT NO. 50671

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, the City of Troy, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD and the COMMUNITY, in cooperation with the Michigan Department of Transportation, hereinafter referred to as MDOT, have programmed the resurfacing of Crooks Road from south of Banmoor Street to south of Fountain Street, described in Exhibit "A", attached hereto and made a part hereof. The improvements involve roads under the jurisdiction of the BOARD, and within the COMMUNITY, and are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$1,386,000; 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 \$947,000; and

WHEREAS, the BOARD shall contribute \$175,000 for the construction engineering and \$6,000 for the force account work.

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, said LOCAL MATCH involves a certain designated and approved amount of \$439,000 which shall be comprised of contributions by the BOARD, and the COMMUNITY, as detailed in Exhibit A; and

WHEREAS, 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 the COMMUNITY and the BOARD that:

1. The COMMUNITY approves of the PROJECT, declares its public necessity, and authorizes 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 \$947,000.
4. The BOARD shall contribute \$181,000 to the LOCAL MATCH for the construction engineering and the force account work.
5. The remaining LOCAL MATCH amount of \$258,000 shall be shared equally between the BOARD and the COMMUNITY, as detailed in Exhibit A.
6. Upon execution of this Agreement, the BOARD shall submit an invoice to the COMMUNITY in the amount of \$64,500 (being 50% of the COMMUNITY'S share).
7. As costs of the PROJECT are incurred, the BOARD shall invoice the COMMUNITY for the remaining 50% of the COMMUNITY'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), 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 TROY

By _____

Its _____

EXHIBIT A

2011

Crooks Road

South of Banmoor Street to South of Fountain Street

In the

City of Troy

BOARD PROJECT NO. 50641

The resurfacing of Crooks Road from south of Banmoor Street to south of Fountain Street.

ESTIMATED PROJECT COST

Contractor Payments	\$1,205,000
Construction Engineering	\$ 175,000
Force Account	\$ 6,000
Less Federal Funds	(\$ 947,000)
LOCAL MATCH	<u>\$ 439,000</u>

COST PARTICIPATION BREAKDOWN

	COMMUNITY	BOARD	TOTAL
TOTAL SHARE	\$129,000	\$310,000	\$439,000