January 13, 2006

TO: John Szerlag, City Manager

FROM: Brian Murphy, Assistant City Manager/Services
Steve Vandette, City Engineer

SUBJECT: **Agenda Item** - Approval of Cost Participation Agreement for the Long Lake and Livernois concrete pavement replacement project
Project No. 05.106.5

RECOMMENDATION

Approval is recommended for the Cost Participation Agreement between the City of Troy and the Board of Road Commissioners for Oakland County (RCOC), for the Long Lake and Livernois Concrete Pavement Replacement Project, at a cost to the City not to exceed $602,572, and the Mayor and City Clerk are authorized to execute the Agreement.

SUMMARY

The estimate for the Long Lake Road, Livernois and Crooks Road reconstruction project is $2,000,000. The cost of the work is to be shared 50/50 by the City and RCOC with each agency contributing an equal amount. The City of Troy share is capped at $1,000,000. The use of Tri-Party funds, as approved by Resolution #2006-01-005, reduces the City share to $602,572. Of this amount, $198,713 is the required match for the Tri-Party funding.

Construction is anticipated in the spring, however; no official schedule from the RCOC has been issued.

FUNDING

As the construction schedule becomes available, City budgetary obligations will be determined in the current and/or '06-07 budget year, depending on the scheduling and duration of the construction. Funds most likely will be needed from the current 2005-06 Major Road fund with additional funds included in the proposed 2006-07 Major Road Fund, account number 401479.7989.051065.

Prepared by: William J. Huotari, Deputy City Engineer
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COST PARTICIPATION AGREEMENT

2006 CONCRETE PROGRAM

Long Lake Road
Crooks Road to Livernois Road

City of Troy

BOARD Project Number 48551

This Agreement, made and entered into this_____day of_____, 2006, 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 the COMMUNITY, provides as follows:

WHEREAS, the BOARD and the COMMUNITY have programmed the reconstruction of deteriorating concrete surfaces of Long Lake Road, from Crooks Road to Livernois Road, 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 PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is $2,000,000; and

WHEREAS, a portion of said PROJECT cost involves certain designated and approved Tri-Party Program funding in the amount of $596,141, which amount shall be paid through equal contributions by the BOARD, the COMMUNITY, and the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY, in accordance with the Tri-Party Program; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the cost sharing of 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 and the BOARD that:

1. The COMMUNITY and the BOARD approve of the PROJECT, declare its public necessity, and authorize the BOARD to forthwith undertake and complete the PROJECT, as above described, and shall perform all engineering, inspection, and administration in reference thereto.

2. The actual total cost of the PROJECT shall include total payments to the contractor, preliminary and construction engineering, testing and inspection cost, temporary and permanent traffic controls, and right of way related costs, if applicable.

3. The estimated total PROJECT cost of $2,000,000 shall be shared equally by the BOARD and the COMMUNITY. Each 50% share is estimated to be $1,000,000, respectively.

4. The COMMUNITY'S 50% share of $1,000,000 shall be funded in accordance with the following:

   a. The Tri-Party Program allocation to the PROJECT cost is limited to $596,141.

   b. Of the COMMUNITY'S total 50% share of $1,000,000, the remaining share not met in part with the 2006 Tri-Party Program allotment of $596,141, shall be funded solely by the COMMUNITY, which amount is estimated to be $403,859, and shall not be exceeded without written authorization by the COMMUNITY.

   c. The BOARD shall credit to the PROJECT costs, the COUNTY'S Tri-Party contribution of $198,714, together with the BOARD'S Tri-Party contribution in an equal amount.

   d. In the event the total PROJECT costs exceed the estimated amount of $2,000,000, the overage(s) shall be funded upon written authorization by the BOARD and the CITY.

5. Upon execution of this Agreement, the BOARD shall submit an invoice to the COMMUNITY for $301,286 (being half of $602,572 for the COMMUNITY'S 50% share of the estimated total PROJECT cost).

6. The BOARD may submit an invoice to the COMMUNITY, periodically, as additional costs accrue, after the initial payment has been expended.

7. Upon completion of the PROJECT, the BOARD shall determine the actual total PROJECT cost, and submit an invoice to the COMMUNITY for any adjustment in the COMMUNITY'S share of the actual total PROJECT cost, if any.

8. 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_____

By_____

Its_____

EXHIBIT A

T R I - P A R T Y P R O G R A M

County Supported Road Improvements

2006 CONCRETE PROGRAM

Long Lake Road

Crooks Road to Livernois Road

in the

City of Troy

BOARD Project Number 48551

TOTAL ESTIMATED PROJECT COST

Preliminary Engineering (approx. 10% of contractor payments)	$ 160,000
Contractor Payments	1,600,000
Construction Engineering (approx. 15% of contractor payments)	240,000
Total Project Cost	$2,000,000

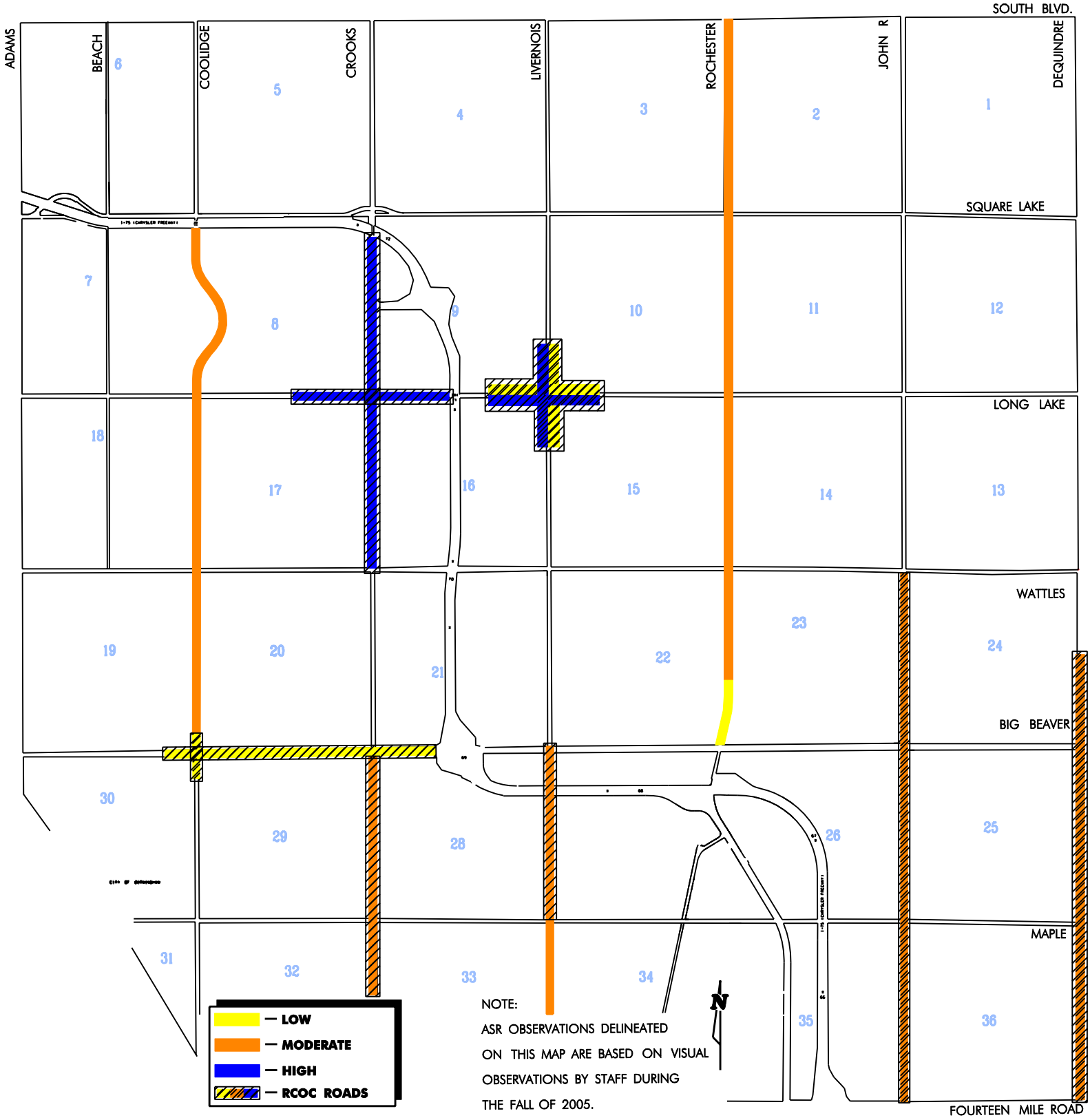
DISTRIBUTION OF COST

BOARD (50% share)	$ 1,000,000
COMMUNITY (50% share)	$ 1,000,000
TOTAL PROJECT COST	$ 2,000,000

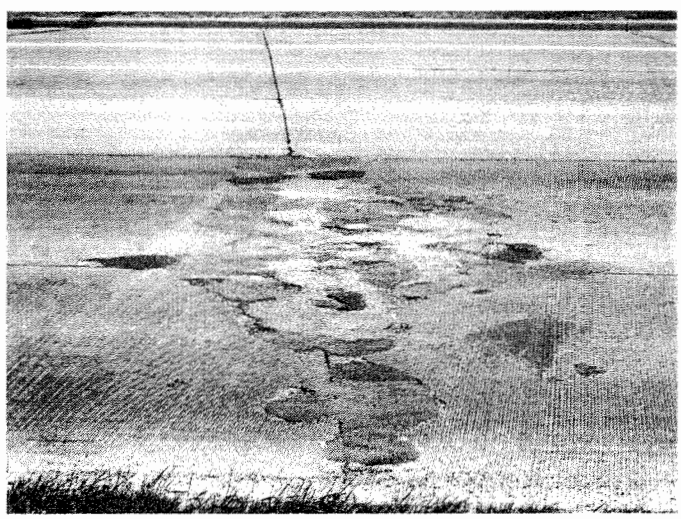
BREAKDOWN OF COMMUNITY'S SHARE

	COMMUNITY	BOARD	COUNTY	TOTAL
2006 Tri-Party allotment	$ 198,713	$ 198,714	$198,714	$ 596,141
Funding (No Tri-Party)	403,859	1,000,000	0	1,403,859
TOTAL	$ 602,572	$1,198,714	$198,714	$2,000,000

MAJOR ROADS EXHIBITING ASR



SEVERE ASR – WIDESPREAD DAMAGE



MODERATE ASR – ISOLATED DAMAGE

LOW ASR – BARELY VISIBLE, LOW DAMAGE