



CITY COUNCIL AGENDA ITEM

Date: September 2, 2014

To: Brian Kischnick, City Manager

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

Subject: Private Agreement – Contract for Installation of Municipal Improvements
DMC - Project No. 14.912.3

History

DMC proposes to develop Children's Hospital of Michigan located at the northeast corner of Big Beaver and Civic Center Drive in the southeast corner of Section 21.

Troy Planning Commission recommended preliminary site plan approval on June 24, 2014. The approved site plan and building elevations are attached.

A ground breaking has been scheduled for Thursday, September 18th at 11:00 a.m.

Site grading and utility plans for this development were reviewed and recently approved by the Engineering Department. The plans include municipal improvements which will be constructed by DMC on behalf of the City of Troy: including water main, sanitary sewer, storm sewer, paving, sidewalks, soil erosion and landscaping. The required fees and refundable escrow deposits in the form of Cash, that will assure completion of the municipal improvements, have been provided by DMC (see attached Private Agreement).

Financial

See attached summary of required deposits and fees for this Private Agreement.

Recommendation

Approval of the Contract for Installation of Municipal Improvements (Private Agreement) is recommended.

City Of Troy
 Contract for Installation of Municipal Improvements
 (Private Agreement)

Project No.: **14.912.3**

Project Location: **SE 1/4 Section 21**

Resolution No: _____

Date of Council Approval: _____

This Contract, made and entered into this **8th** day of **September, 2014** by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and **DMC** whose address is **4707 St. Antoine, Suite C-522, Detroit, MI 48201** and whose telephone number is **313-745-0414** hereinafter referred to as "Owners", provides as follows:

FIRST: That the City agrees to permit the installation of water main, sanitary sewer, storm sewer, paving, sidewalks, soil erosion and landscaping in accordance with plans prepared by Professional Engineering Associates whose address is 2430 Rochester Ct., Troy, MI 48083 and whose telephone number is 248-689-9090 and approved prior to construction by the City in accordance with City of Troy specifications.

SECOND: That the Owners agree to provide the following securities to the City prior to the start of construction, in accordance with the Detailed Summary of Required Deposits & Fees (attached hereto and incorporated herein):

Refundable escrow deposit equal to the estimated construction cost of \$ **138,721.00**. This amount will be deposited with the City in the form of (check one):

Cash/Check	<input checked="" type="checkbox"/>	}	10% Cash	<u>\$13,872.00</u>
Certificate of Deposit & 10% Cash	<input type="checkbox"/>			
Irrevocable Bank Letter of Credit & 10% Cash	<input type="checkbox"/>			
Performance Bond & 10% Cash	<input type="checkbox"/>			

Refundable cash deposit in the amount of \$ **21,372.00**. This amount will be deposited with the City in the form of (check one):

Cash Check

Non-refundable cash fees in the amount of \$ **14,346.00**. This amount will be paid to the City in the form of (check one):

Cash Check

Said refundable escrow deposits shall be disbursed to the Owners after approval by the City. The City reserves the right to retain a minimum of ten (10) percent for each escrowed item until the entire site/development has received final inspection and final approval by all City departments. Refundable cash deposits shall be held until final approval has been issued. Disbursements shall be made by the City within a reasonable time, after request for refund of deposits is made by the Owners.

City Of Troy
Contract for Installation of Municipal Improvements
(Private Agreement)

THIRD: The owners shall contract for construction of said improvement with a qualified contractor. Owners, or their agents, and contractor(s) agree to arrange for a pre-construction meeting with the City Engineer prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, in accordance with the approved plans. Revisions to approved plans required by unexpected or unknown conflicts in the field shall be made as directed by the City.

FOURTH: Owners agree that if, for any reason, the total cost of completion of such improvements shall exceed the sums detailed in Paragraph SECOND hereof, that Owners will immediately, upon notification by the City, remit such additional amounts in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sums as detailed in Paragraph SECOND hereof, City will refund to the Owners the excess funds remaining after disbursement of funds.

FIFTH: Owners agree to indemnify and save harmless City, their agents and employees, from and against all loss or expense (including costs and attorneys' fees) by reason of liability imposed by law upon the City, its agents and employees for damages because of bodily injury, including death, at any time resulting therefrom sustained by any person or persons or on account of damage to property, including work, provided such injury to persons or damage to property is due or claimed to be due to negligence of the Owner, his contractor, or subcontractors, employees or agents, Owner further agrees to obtain and convey to the City all necessary easements and/or right-of-way for such public utilities as required by the City Engineer.

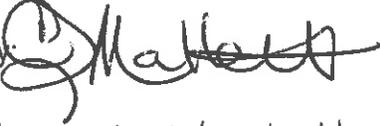
City Of Troy
Contract for Installation of Municipal Improvements
(Private Agreement)

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this _____ day of _____, 20_____.

OWNERS

CITY OF TROY

By:



By:

Conrad Mallett

Please Print or Type

Dane M. Slater, Mayor

Please Print or Type

M. Aileen Bittner, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this _____ day of _____, A.D.20_____, before me personally appeared _____ known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

NOTARY PUBLIC, Oakland County, Michigan

My commission expires: _____

Detailed Summary of Required Deposits & Fees
DMC
14.912.3

ESCROW DEPOSITS (PUBLIC):

Sanitary Sewers	\$2,600
Water Mains	\$76,221
Paving	\$48,300
Sidewalks	\$11,600
Deceleration and/or Passing Lane - MAJOR ROAD	\$0
Major Road Improvements (other than decel or passing lanes)	\$0
Underground Detention System/Restricted Outlet/Sewer Tap/Oil & Gas Trap	\$0

TOTAL ESCROW DEPOSITS (Refundable): **\$138,721**
Cash, Letter of Credit or Performance Bond & 10% Cash

CASH FEES (Non-Refundable):

Engineering Review Fee (Private Improvements)(PA1)	\$9,019
Water Main Testing and Chlorination (PA 2)	\$762
Plan Review and Construction Inspection Fee (Public Improvements) (PA1)	\$11,014
Soil Erosion/Sedimentation Control Commercial Permit Fee (SUB 10)	\$0
Soil Erosion/Sedimentation Control Commercial Inspection Fee (SUB 10)	\$0
Less Initial Engineering Review Fee (Public & Private)(1.1%)	-\$6,449

TOTAL CASH FEES (Non-Refundable): **\$14,346**

CASH DEPOSITS (Refundable):

Street Cleaning/Road Maintenance	\$5,000
Soil Erosion/Sedimentation Control Repair, Replace, or Maintenance	\$2,500
Punchlist & Restoration	\$13,872

TOTAL CASH DEPOSITS (Refundable): **\$21,372**

Total Escrow & Cash Deposits (Refundable) **\$160,093**

Total Cash Fees (Non-Refundable) **\$14,346**

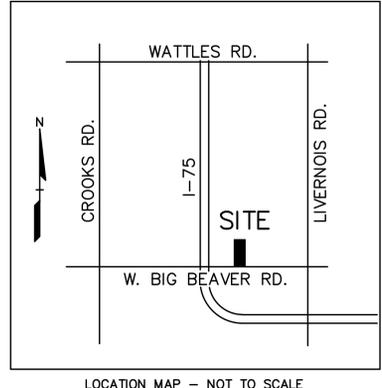
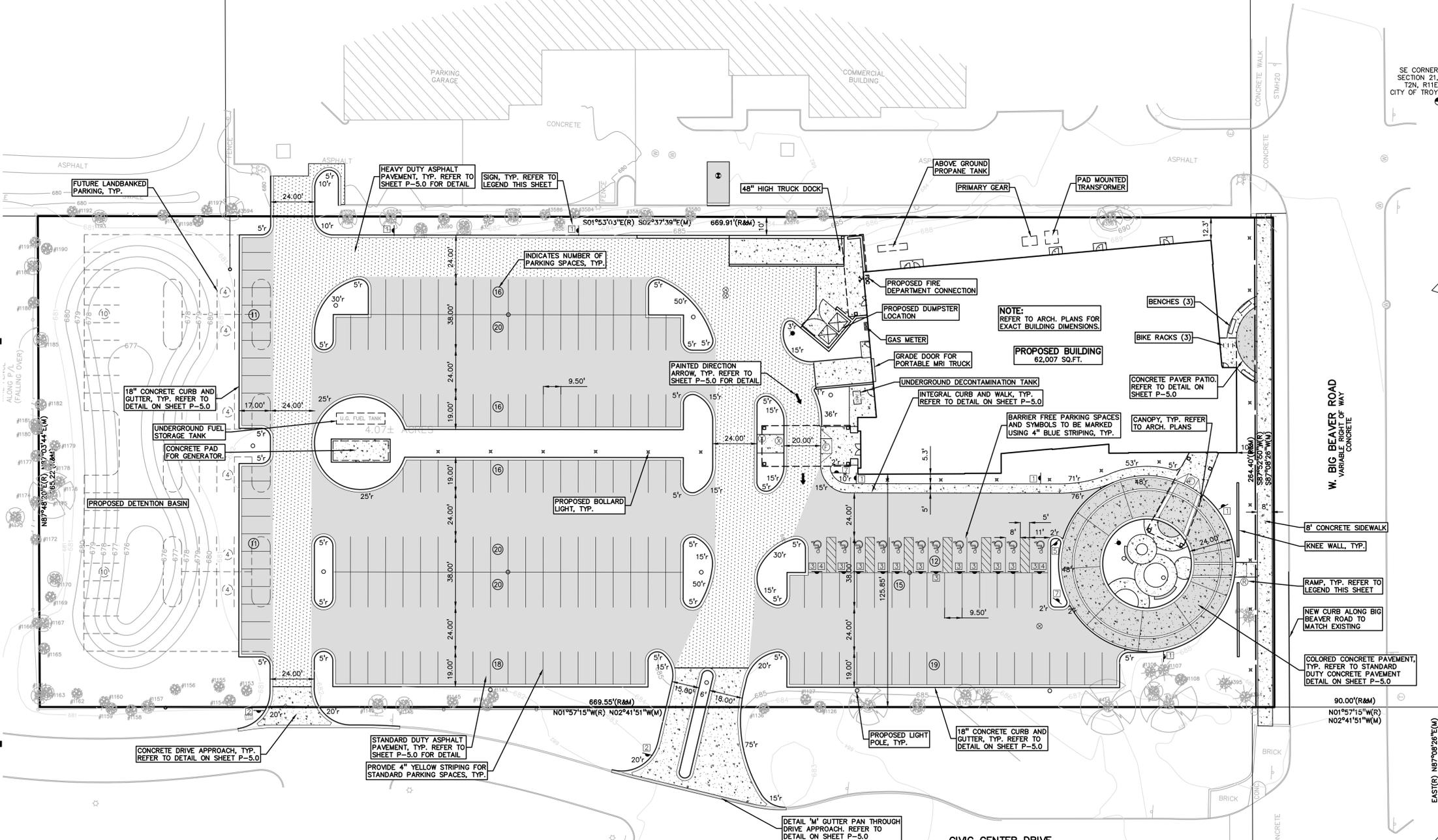
Total Amount: **\$174,439**

PAID
SEP 02 2014
CITY OF TROY
TREASURER'S OFFICE



FLOODPLAIN NOTE:
 SITE IS WITHIN ZONE 'X', AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD INSURANCE RATE MAP NUMBER 26125C0534F DATED SEPTEMBER 29, 2006.

BENCHMARKS:
 BM #100
 ARROW ON HYDRANT
 ELEV. = 690.28



LEGEND

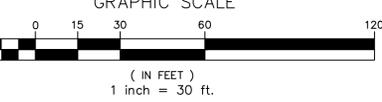
● IRON FOUND	⊗ BRASS PLUG SET	⊙ SEC. CORNER FOUND
⊗ IRON SET	⊗ MONUMENT FOUND	⊗ RECORDED
⊗ NAIL FOUND	⊗ MONUMENT SET	⊗ MEASURED
⊗ NAIL & CAP SET		⊗ CALCULATED

EXISTING

- OH-ELEC- Δ - Δ ELEC. PHONE OR CABLE TV OH. LINE, POLE & GUY WIRE
- UG-CATV- \square UNDERGROUND CABLE TV, CATV FEDESTAL
- UG-PHONE- \square TELEPHONE U.G. CABLE, PEDESTAL & MANHOLE
- UG-ELEC- \square ELECTRIC U.G. CABLE, MANHOLE, METER & HANDHOLE
- GAS MAIN, VALVE & GAS LINE MARKER
- WATERMAIN, HYD. GATE VALVE, TAPPING SLEEVE & VALVE
- SANITARY SEWER, CLEANOUT & MANHOLE
- STORM SEWER, CLEANOUT & MANHOLE
- COMBINED SEWER & MANHOLE
- CATCH BASIN, INLET, YARD DRAIN
- POST INDICATOR VALVE
- WATER VALVE BOX/HYDRANT VALVE BOX, SERVICE SHUTOFF
- MAILBOX, TRANSFORMER, IRRIGATION CONTROL VALVE
- UNIDENTIFIED STRUCTURE
- SPOT ELEVATION
- CONTOUR LINE
- FENCE
- GUARD RAIL
- STREET LIGHT
- SIGN

PROPOSED

- CONC. CONCRETE
- ASPH. ASPHALT
- GRAVEL GRAVEL SHOULDER
- SD HEAVY FLOW DUTY ONLY
- SD HEAVY DEEP DUTY ONLY
- SD HEAVY FLOW DUTY ONLY
- SD HEAVY DEEP DUTY ONLY



SITE DATA TABLE:

SITE AREA: 4.01 ACRES (NET)
 ZONING: 'BB' - BIG BEAVER ROAD
 PROPOSED USE: MEDICAL CLINIC/OUTPATIENT CENTER
 USE GROUP 3

BUILDING INFORMATION: BUILDING TYPE E

BUILDING AREA:
 TOTAL BUILDING FLOOR AREA = 62,007 SQ.FT.

BUILDING HEIGHT:
 MINIMUM REQUIRED = 1 STORY, 14 FT
 PROVIDED = 3 STORIES, 66 FT MAX. HEIGHT

SETBACK REQUIREMENTS:

FRONT SETBACK: BUILDING LINE = 10 FT
 SIDE SETBACK: NONE
 REAR SETBACK: 40 FT

PARKING CALCULATIONS:

OUTPATIENT CENTER = 2 SPACES PER EXAM/OPERATING ROOM + 1 SPACE PER LABORATORY OR RECOVERY ROOM + 1 SPACE PER EMPLOYEE
 = (57 EXAM/OPERATING ROOMS X 2 SPACES) + (11 LABORATORY OR RECOVERY ROOMS X 1 SPACE) + (72 EMPLOYEES X 1 SPACE)
 = 197 SPACES

PARKING PROVIDED = 194 SPACES INCLUDING 12 H/C SPACES
 LANDBANKED PARKING = 22 ADDITIONAL SPACES
 TOTAL PARKING INCLUDING LANDBANKED SPACES = 216 SPACES

GENERAL NOTES:

THESE NOTES APPLY TO ALL CONSTRUCTION ACTIVITIES ON THIS PROJECT.

- ALL DIMENSIONS SHOWN ARE TO BACK OF CURB, FACE OF SIDEWALK, OUTSIDE FACE OF BUILDING, PROPERTY LINE, CENTER OF MANHOLE/CATCH BASIN OR CENTERLINE OF PIPE UNLESS OTHERWISE NOTED.
- REFER TO SHEET P-5.0 FOR ON-SITE PAVING DETAILS.
- REFER TO CONSTRUCTION PLANS FOR ON-SITE SIDEWALK RAMP DETAILS.
- 'NO PARKING-FIRE LANE' SIGNS SHALL BE POSTED ALONG ALL FIRE LANES AT 100 FOOT INTERVALS OR AS DIRECTED BY THE FIRE OFFICIAL.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF TROY CURRENT STANDARDS AND REGULATIONS.
- THE CONTRACTOR SHALL NOTIFY THE CITY ENGINEER AND/OR THE AUTHORITY HAVING JURISDICTION 3 BUSINESS DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION.
- ANY WORK WITHIN THE STREET OR HIGHWAY RIGHT-OF-WAYS SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE AGENCIES HAVING JURISDICTION AND SHALL NOT BEGIN UNTIL ALL NECESSARY PERMITS HAVE BEEN ISSUED FOR THE WORK.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO ADJUST THE TOP OF ALL EXISTING AND PROPOSED STRUCTURES (MANHOLES, CATCH BASINS, INLETS, GATE WELLS ETC.) WITHIN GRADED AND/OR PAVED AREAS TO FINAL GRADE SHOWN ON THE PLANS. ALL SUCH ADJUSTMENTS SHALL BE INCIDENTAL TO THE JOB AND WILL NOT BE PAID FOR SEPARATELY.

SIGN LEGEND:

'NO PARKING FIRE LANE' SIGN	1
'STOP' SIGN	2
'BARRIER FREE PARKING' SIGN	3
'VAN ACCESSIBLE' SIGN	4
'RIGHT TURN ONLY' SIGN	5
'DO NOT ENTER' SIGN	6
'NO LEFT TURN' SIGN	7

REFER TO SHEET P-5.0 FOR SIGN DETAILS

SIDEWALK RAMP LEGEND:

SIDEWALK RAMP 'TYPE R'	⊗
SIDEWALK RAMP 'TYPE F'	⊕
CURB DROP ONLY	⊗

REFER TO M.D.O.T. R-28-H STANDARD RAMP AND DETECTABLE WARNING DETAILS

NOT FOR CONSTRUCTION FOR REFERENCE ONLY

Children's Hospital of Michigan
 DMC DETROIT MEDICAL CENTER

Children's Hospital of Michigan
Troy Specialty Center
 350 W. Big Beaver Road
 Troy, MI 48064

Date: 05/19/14
 Issue: Preliminary Site Plan Review
 5/29/14 Construction Issue 1
 6/12/14 Preliminary Site Plan Approval

PEA

PROFESSIONAL ENGINEERING ASSOCIATES
 2430 Rochester Ct, Suite 100
 Troy, MI 48063-1872
 Phone: (248) 688-9090
 Fax: (248) 688-1044
 Website: www.peainc.com
 PEA PROJECT NO. 2013-226



26913 Northwestern Hwy
 Suite 200
 Southfield, Michigan
 48033-3476 | USA

(tel) (248)262.1500
 (fax) (248)262.1515
 harleyellisdevereaux.com

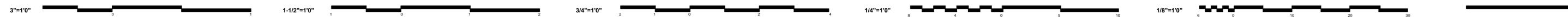
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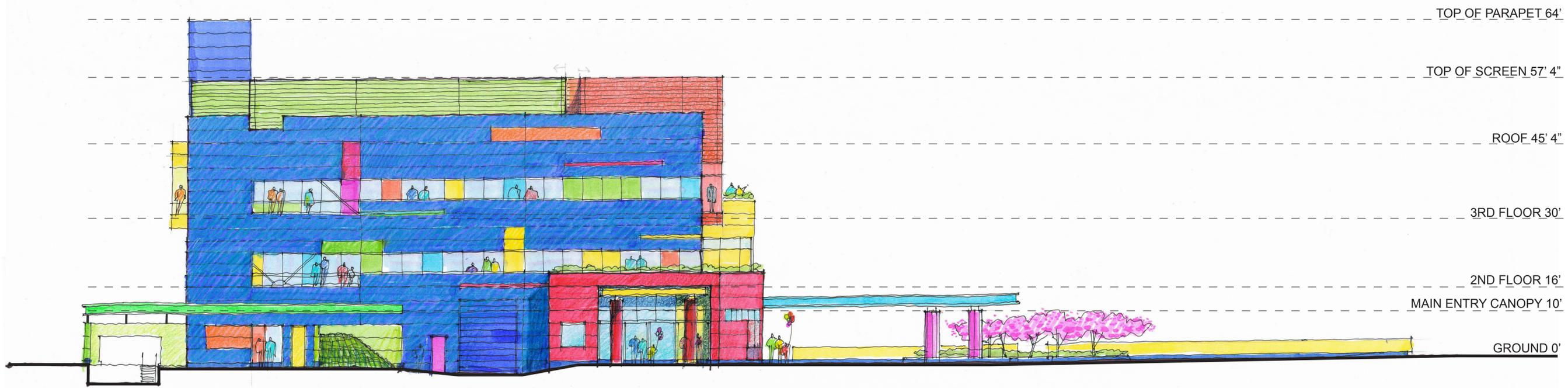
Project: 2013-10093-000
 Drawn: KMK
 Checked: JPB
 Approved: JPB

Title: PRELIMINARY SITE PLAN

Sheet No. P-2.0



Children's Hospital of Michigan
Troy Specialty Center
 350 W. Big Beaver Road
 Troy, MI 48064
 Date: 05/19/14
 Issue: Preliminary Site Plan Review



NORTH ELEVATION
 1" = 10'

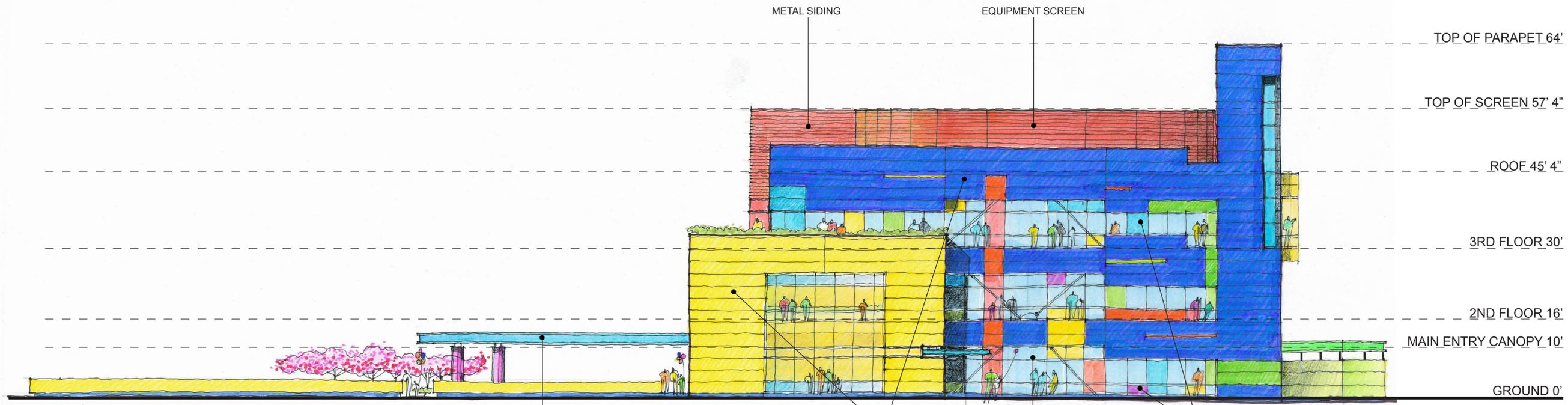


PROFESSIONAL ENGINEERING ASSOCIATES
 2430 Rochester Ct. Suite 100
 Troy, MI 48063-1872
 Phone: (248) 689-9090
 Fax: (248) 689-1044
 website: www.peainc.com
 PEA PROJECT NO. 2012-067



HARLEY ELLIS DEVEREAUX

26913 Northwestern Hwy
 Suite 200
 Southfield, Michigan
 48033-3476 USA
 (tel) (248) 262.1500
 (fax) (248) 262.1515
 harleyellisdevereaux.com
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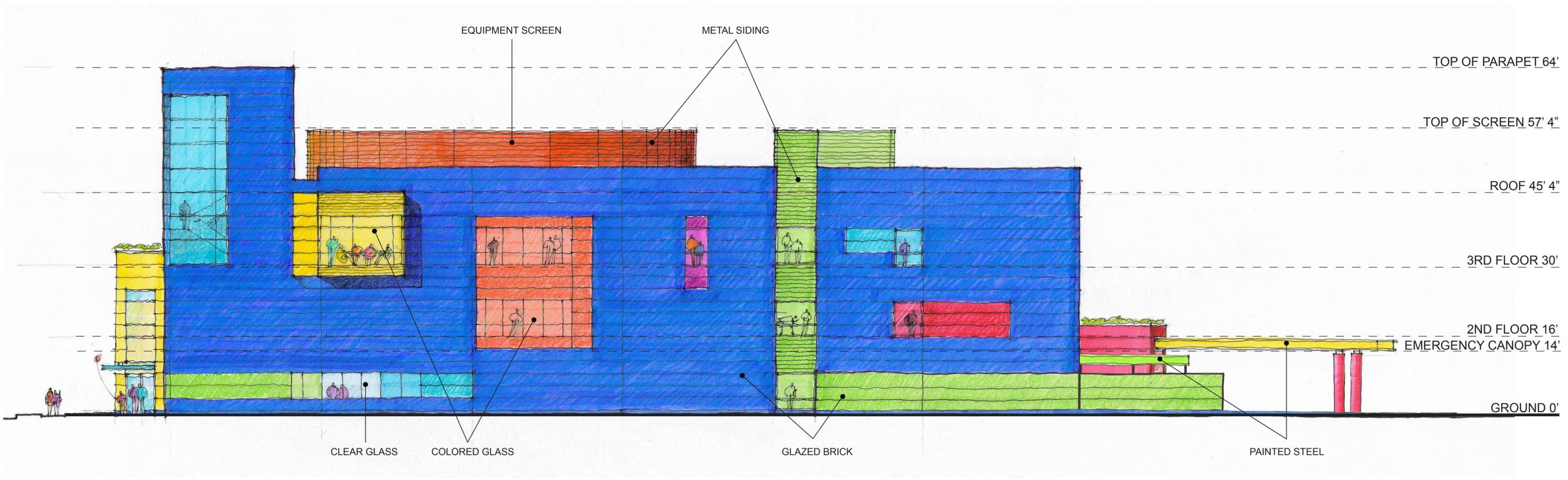


SOUTH ELEVATION
 1" = 10'

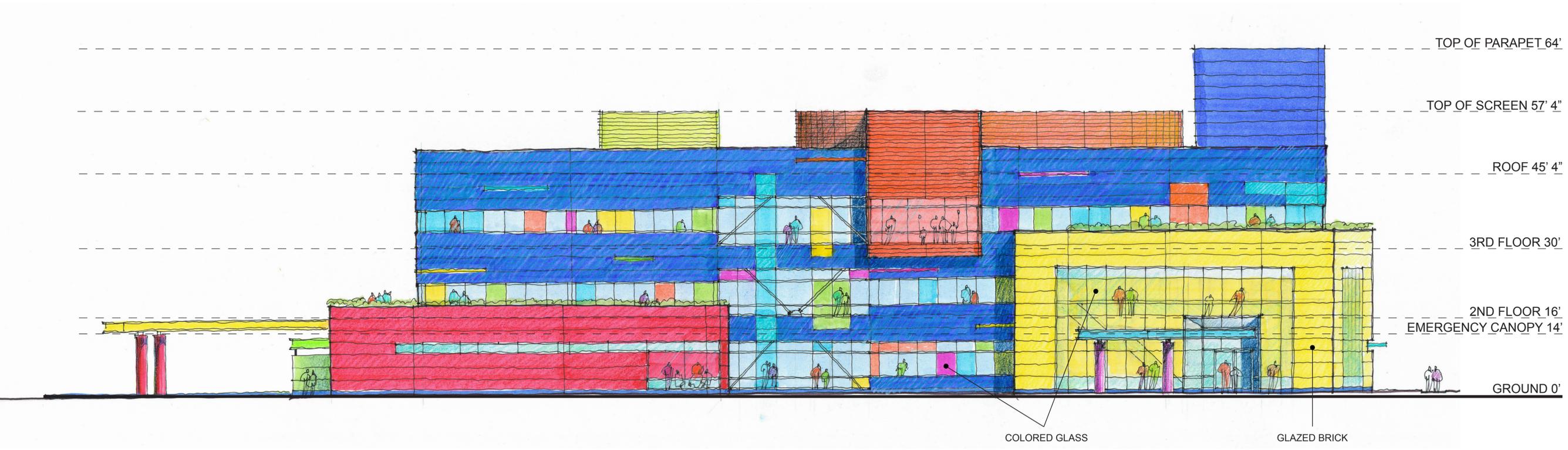
Project No. 2012-10052-000
 Drawn
 Checked
 Approved

Title
Exterior Elevations

Sheet No.
A-4



EAST ELEVATION
1" = 10'



WEST ELEVATION
1" = 10'



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2430 Rochester Ct. Suite 100
Troy, MI 48063-1872
Phone: (248) 689-9090
Fax: (248) 689-1044
website: www.peainc.com
PEA PROJECT NO. 2012-067

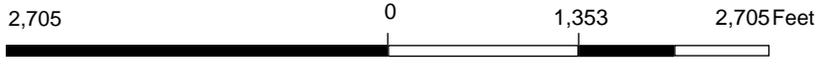
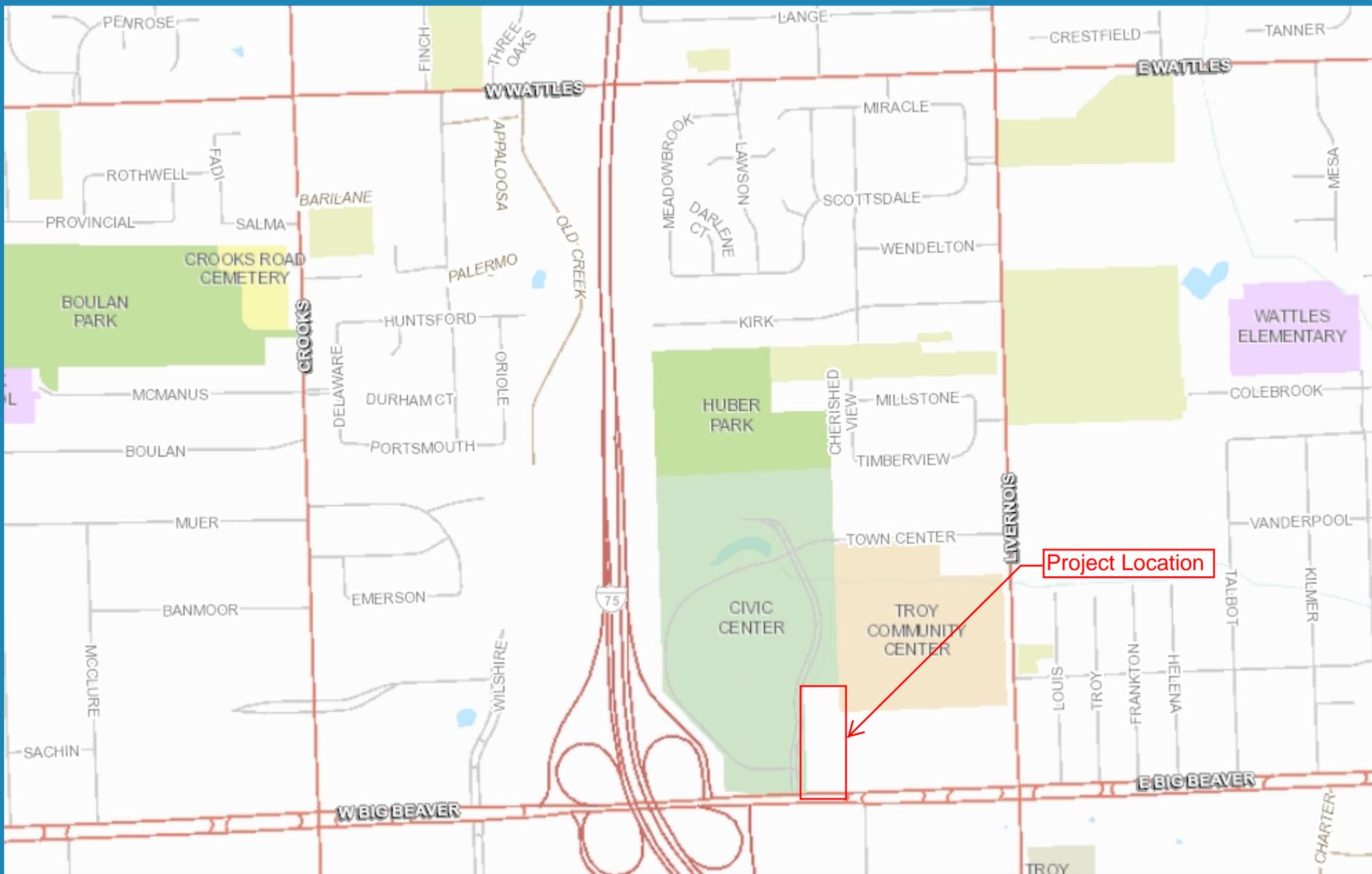


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Suite 200
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48033-3476 USA
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Drawn
Checked
Approved

Title: **Exterior Elevations**

Sheet No. **A-5**



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.