



CITY COUNCIL ACTION REPORT

Date: November 24, 2014

To: Brian Kischnick, City Manager

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

Subject: Cost Participation Agreement with RCOC – Right-of-Way
Dequindre Road, Long Lake to Auburn
Project No. 02.202.5

History:

The Road Commission for Oakland County (RCOC), in cooperation with the Macomb County Department of Roads (MCDR), Shelby Township and the cities of Sterling Heights, Rochester Hills and Troy have programmed the right-of-way acquisition for the reconstruction and widening of Dequindre Road from north of Long Lake Road to north of Auburn Road.

The project will widen and reconstruct Dequindre Road to a 5-lane concrete pavement with associated utilities in 2016/17.

The estimated total cost of the right-of-way phase is \$6,125,000. The RCOC, as the lead agency, will enter into a contract with the Michigan Department of Transportation (MDOT) for eighty (80) percent funding of the project with federal program dollars under the Transportation Economic Development Fund Category C in the amount of \$4,900,000.

Financial:

The local match is estimated at \$1,225,000 and is to be shared between the agencies based on the estimated right-of-way acquisition in their respective community as noted in Exhibit A. Troy's share of the right-of-way is estimated at \$141,120. There are no full property acquisitions anticipated in Troy as noted on the attached preliminary plans for the work in Troy.

Troy's share of the project is included in the 3-year budget within the Major Road fund.

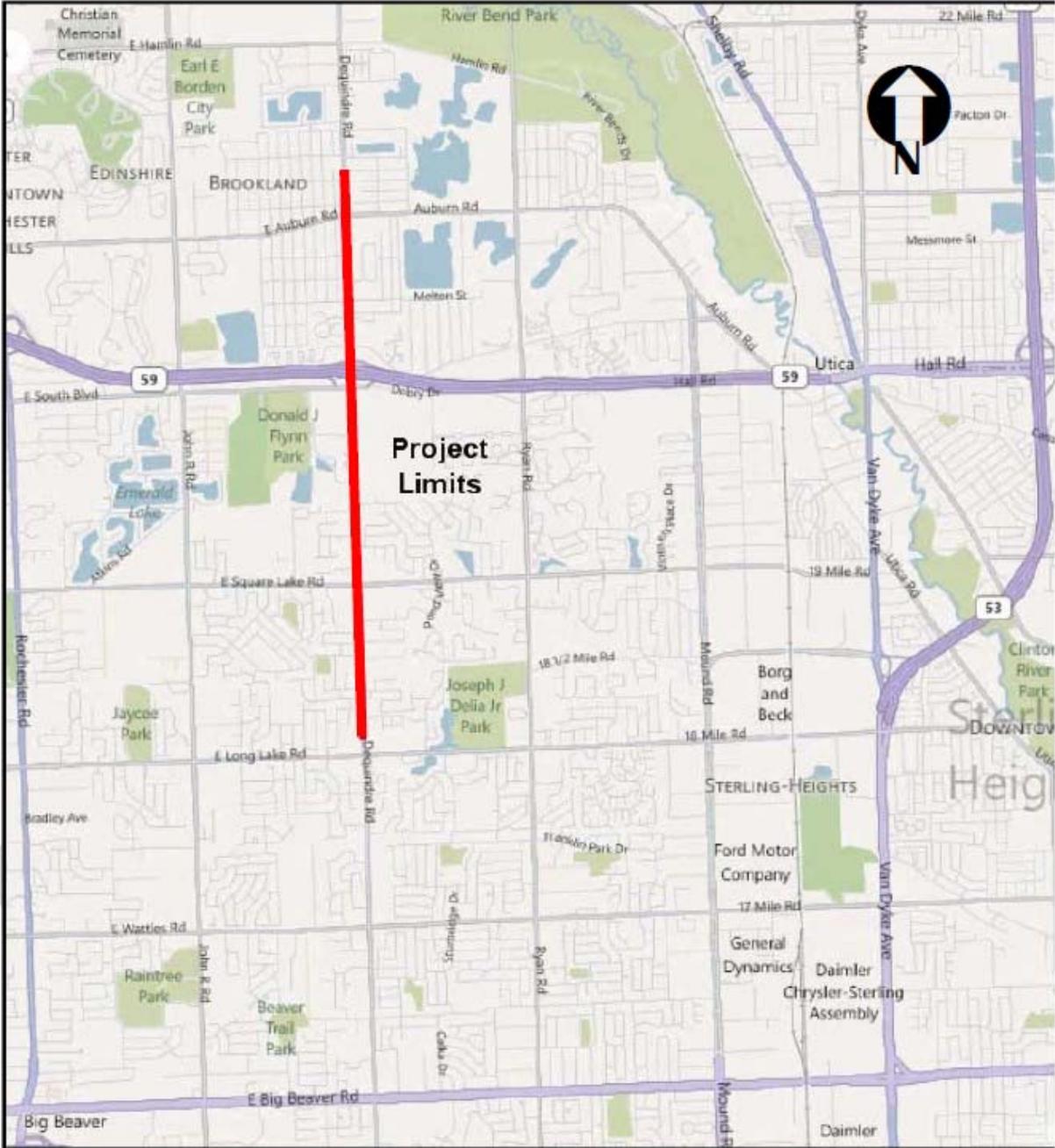
Recommendation:

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 Dequindre Road, north of Long Lake Road to north of Auburn Road at an estimated cost to the City of Troy of \$141,120.

Furthermore, staff recommends that the Mayor and City Clerk be authorized to execute the agreements.

LOCATION MAP

Dequindre Road, North of Long Lake to North of Auburn Road



COST PARTICIPATION AGREEMENT

RIGHT-OF-WAY ACQUISITION

Dequindre Road

North of Long Lake Road to North of Auburn Road

City of Troy

Board Project No. 46901

This Agreement, made and entered into this _____ day of _____, 2014, 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, the City of Rochester Hills, hereinafter referred to as ROCHESTER HILLS, and the Macomb County Department of Roads, hereinafter referred to as MCDR, in cooperation with the Michigan Department of Transportation, hereinafter referred to as MDOT, have programmed the right-of-way acquisition for the reconstruction and widening of Dequindre Road from north of Long Lake Road to north of Auburn Road, as described in Exhibit "A", attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD, TROY, ROCHESTER HILLS, and MCDR, which improvements are hereinafter referred to as the RIGHT OF WAY; and

WHEREAS, the estimated total cost of the RIGHT OF WAY is \$6,125,000; and

WHEREAS, the BOARD will enter into a contract with MDOT for 80% funding of the PROJECT with federal program dollars under the Transportation Economic Development Fund Category C in the amount of \$4,900,000; and

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

WHEREAS, the parties hereto have reached a mutual understanding regarding the cost sharing of the RIGHT OF WAY 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 parties hereto that:

1. MCDR, TROY, and ROCHESTER HILLS approve of the RIGHT OF WAY, declare its public necessity, and authorize the BOARD to perform or cause to be performed, and complete the RIGHT OF WAY along with all administration in reference thereto.
2. The RIGHT OF WAY is hereby defined as all costs necessary for the right-of-way acquisition work including engineering, appraisals, acquisition, legal, condemnation, financing, the costs of technical guidance, monitoring, training and any other costs as may be incurred by the BOARD as a result of this agreement.
3. All costs not met in part by federal funding, the LOCAL MATCH, estimated in the amount of \$1,225,000, shall be shared by the BOARD, MCDR, TROY, and ROCHESTER HILLS.
4. TROY shall contribute \$141,120 toward the LOCAL MATCH for the City of Troy portion of the RIGHT OF WAY. Any RIGHT OF WAY costs in the City of Troy above the estimated amount of \$141,120 shall be funded first with Transportation Economic Development Fund Category C and any difference shall be the shared equally between the BOARD and TROY.
5. Upon execution of this Agreement, the BOARD shall submit an invoice to TROY for \$70,560 (being 50% of TROY's estimated RIGHT OF WAY).
6. As costs of the RIGHT OF WAY are incurred, the BOARD shall invoice TROY for the remaining 50% of the COMMUNITY'S total contribution.
7. Upon receipt of said invoice(s), TROY shall pay to the BOARD the full amount thereof, within thirty (30) days of such receipt.
8. The BOARD shall execute separate Cost Participation Agreements with ROCHESTER HILLS and MCDR for their share of the estimated total RIGHT OF WAY cost.

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

Dequindre Road

North of Long Lake Road to North of Auburn Road

City of Troy

Board Project No. 46901

The RIGHT OF WAY is hereby defined as all costs necessary for the right-of-way acquisition work including engineering, appraisals, acquisition, legal, codemnation, financing, the costs of technical guidance, monitoring, training and any other costs necessary to complete the right of way acquisition

ESTIMATED PROJECT COST

Right-of-Way Acquisition	\$6,125,000
Less Federal Funds	<u>(\$4,900,000)</u>
LOCAL MATCH	<u><u>\$1,225,000</u></u>

COST PARTICIPATION BREAKDOWN

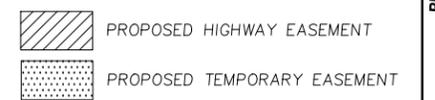
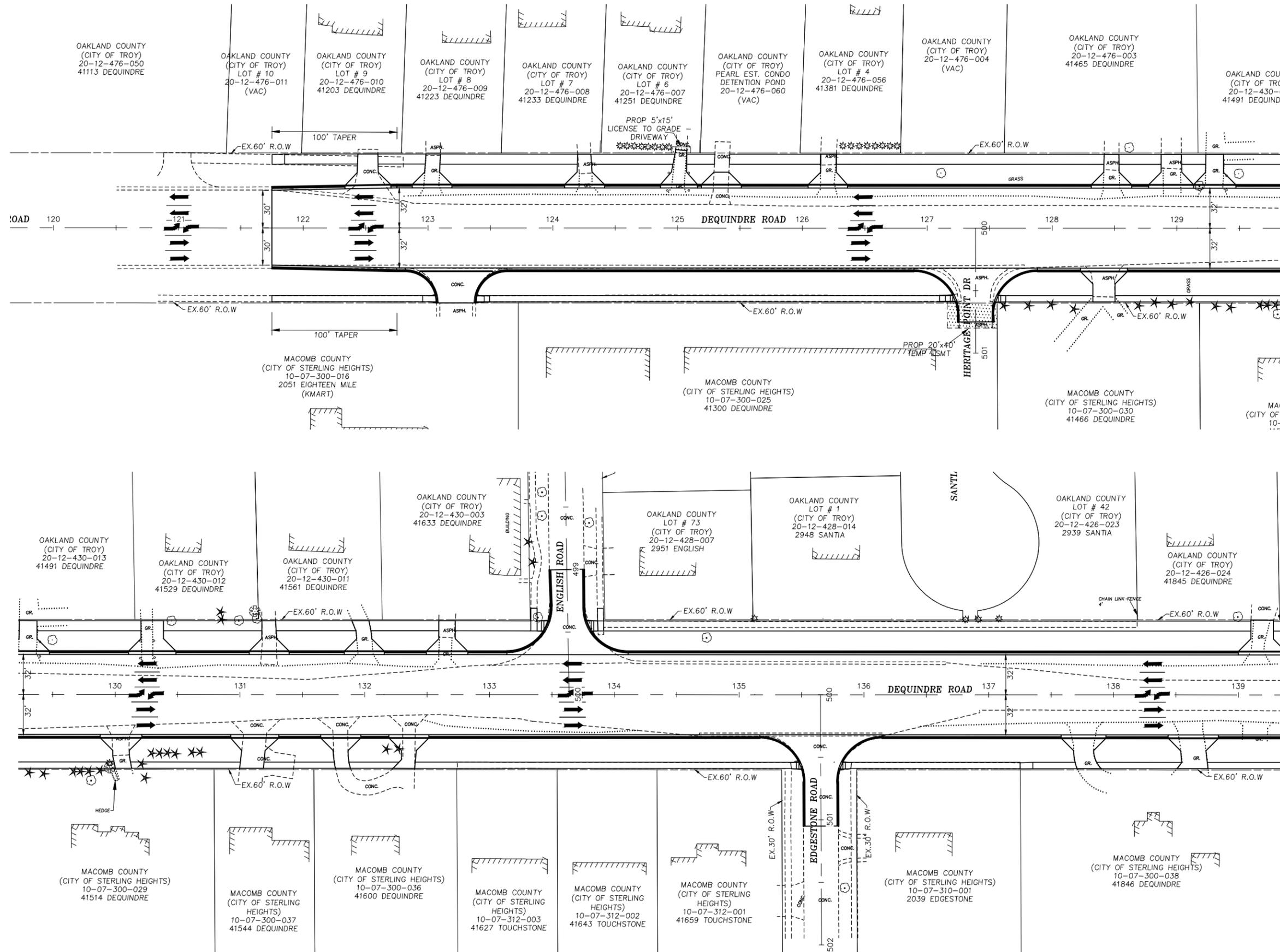
BOARD	\$441,000
MCDR	\$343,000
ROCHESTER HILLS	\$299,880
TROY	\$141,120
TOTAL LOCAL MATCH	<u><u>\$1,225,000</u></u>



Know what's below.
Call before you dig.



FULL SIZE (22"x34") 1" = 40'
REDUCED SIZE (11"x17") 1" = 80'



APPENDIX D
PREFERRED ALT. & R.O.W. NEEDS

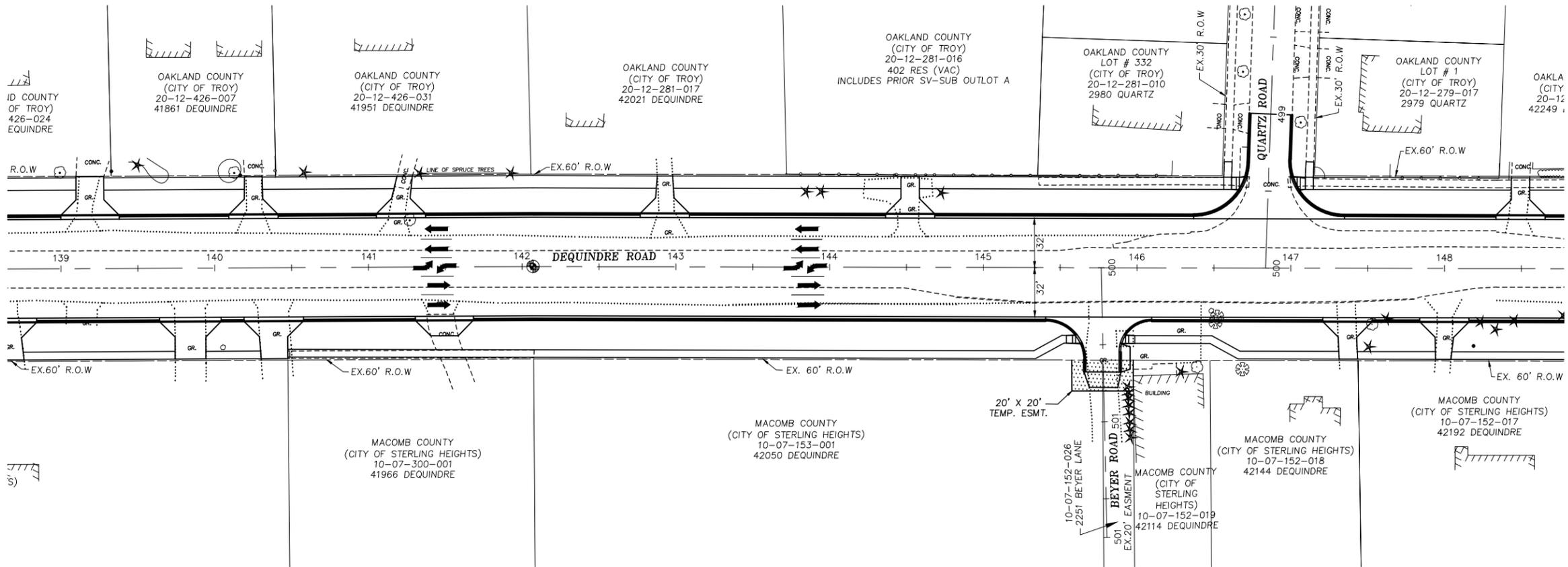
T:\PROJECTS\46901 - DEQUINDRE LONG LAKE TO AUBURN\PLAN PRODUCTION\MASTER PLANS\46901 DEQUINDRE ENVIRONMENTAL ASSESSMENT SHEETS Jobn. 7, 14 - 11:53 AM

PROJECT NO. 46901 SQUAD NO. SQUAD 2 PROJECT NAME: DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD CONTROL SECTION ### MDOT JOB NO. ###

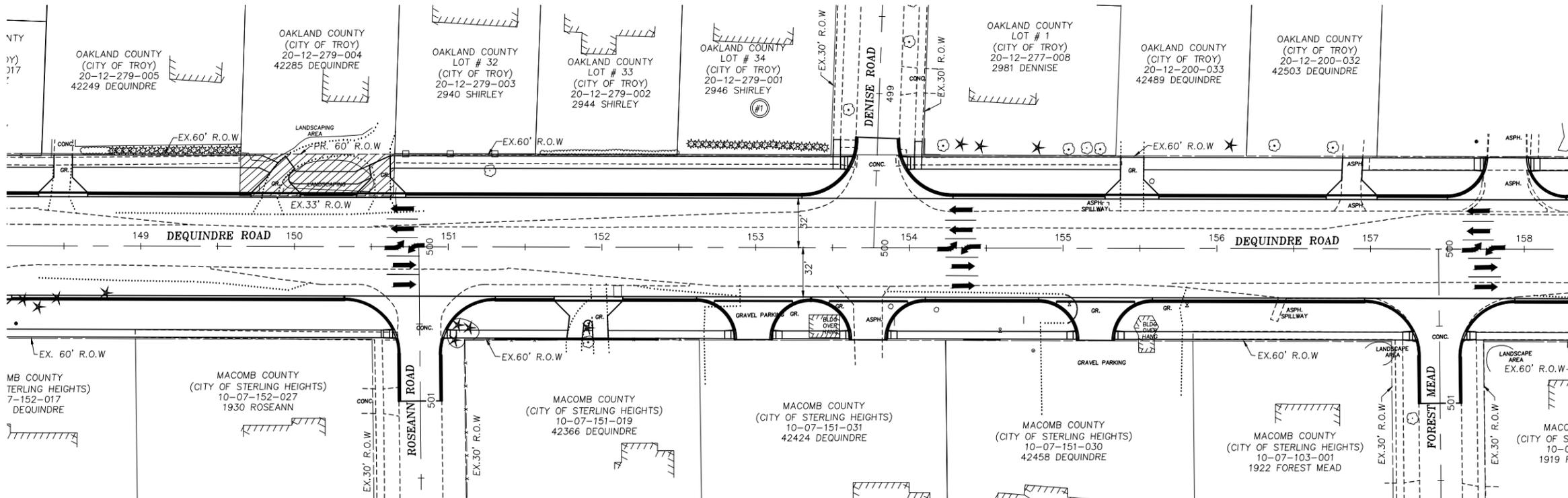
<p>ROAD COMMISSION for OAKLAND COUNTY BEVERLY HILLS, MICHIGAN PHONE: 877-858-4804 WEB: WWW.ROADCOMB.ORG</p>	PROJECT NO. 46901	<p>EA - 120+00 TO 139+00</p> <p>DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD</p>	DESIGN PHASE DESIGN PHASE
	DATE 12/04/2013		SHEET NO. 1 OF 14



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FULL SIZE (22"x34") 1" = 40'
REDUCED SIZE (11"x17") 1" = 80'



- RECEPTOR LOCATION FOR NOISE LEVEL ANALYSIS - SEE SECTION 3.8 OF ENVIRONMENTAL ASSESSMENT
- PROPOSED HIGHWAY EASEMENT
- PROPOSED TEMPORARY EASEMENT

APPENDIX D
PREFERRED ALT. & R.O.W. NEEDS

<p>ROAD COMMISSION for OAKLAND COUNTY BEVERLY HILLS, MICHIGAN PHONE: 817-858-4804 WEB: WWW.ROADCOMB.ORG</p>	PROJECT NO. 46901	<p>EA - 139+00 TO 158+00</p> <p>DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD</p>	DESIGN PHASE DESIGN PHASE
	DATE 12/04/2013		SHEET NO. 2 OF 14

T:\PROJECTS\46901 - DEQUINDRE LONG LAKE TO AUBURN\PLAN PRODUCTION\MASTER PLANS\46901 DEQUINDRE ENVIRONMENTAL ASSESSMENT SHEETS Jun. 7, 14 - 11:53 AM

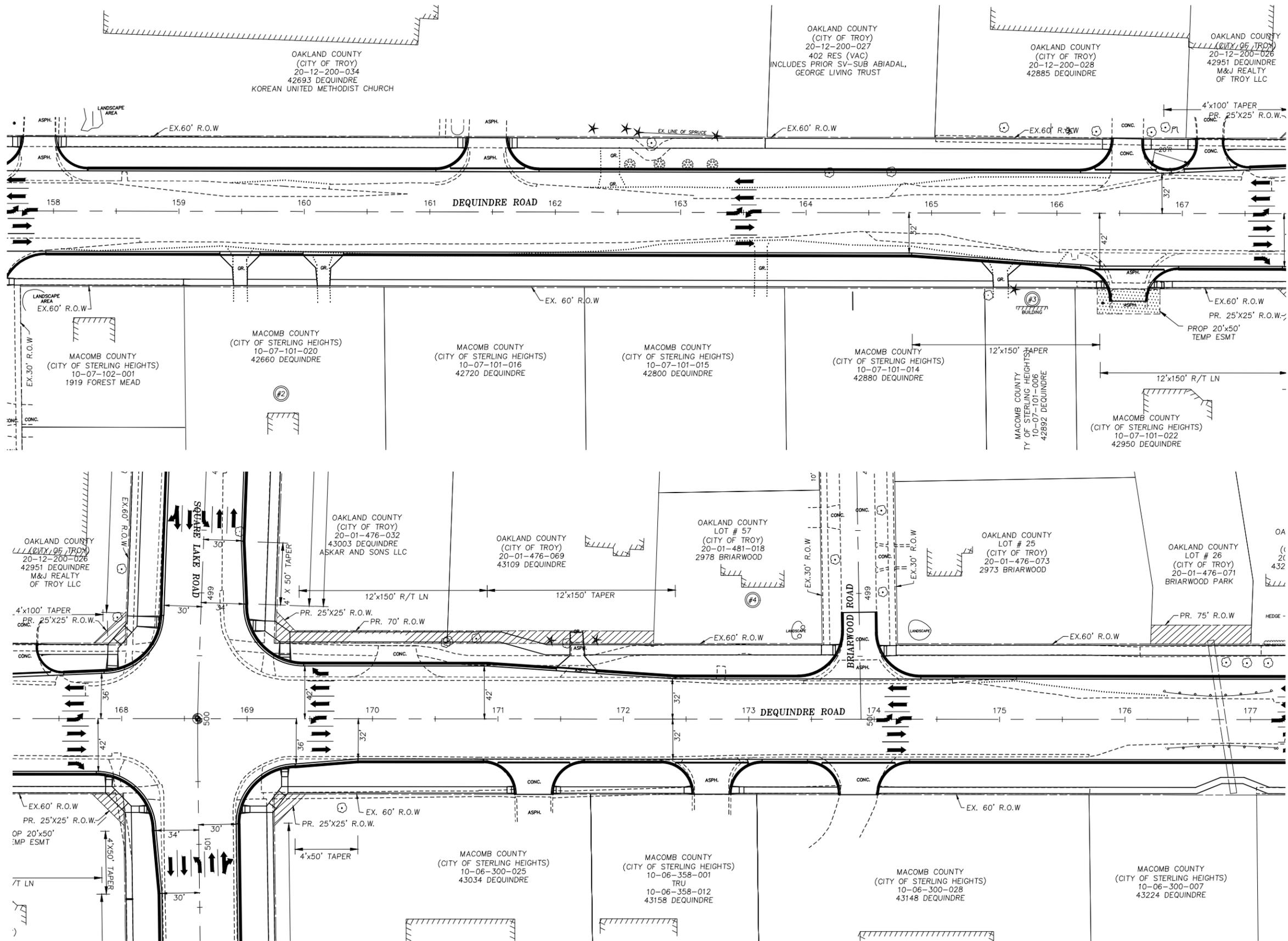
PROJECT NAME: DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD
CONTROL SECTION ###
MDOT JOB NO. ###
PROJECT NO. 46901
SQUAD NO. SQUAD 2



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T:\PROJECTS\46901 - DEQUINDRE LONG LAKE TO AUBURN\PLAN PRODUCTION\MASTER PLANS\46901 DEQUINDRE ENVIRONMENTAL ASSESSMENT SHEETS Jpn. 7, 14 - 11:53 AM

PROJECT NAME: DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD
CONTROL SECTION
MDOT JOB NO. ###
PROJECT NO. 46901
SQUAD NO. SQUAD 2

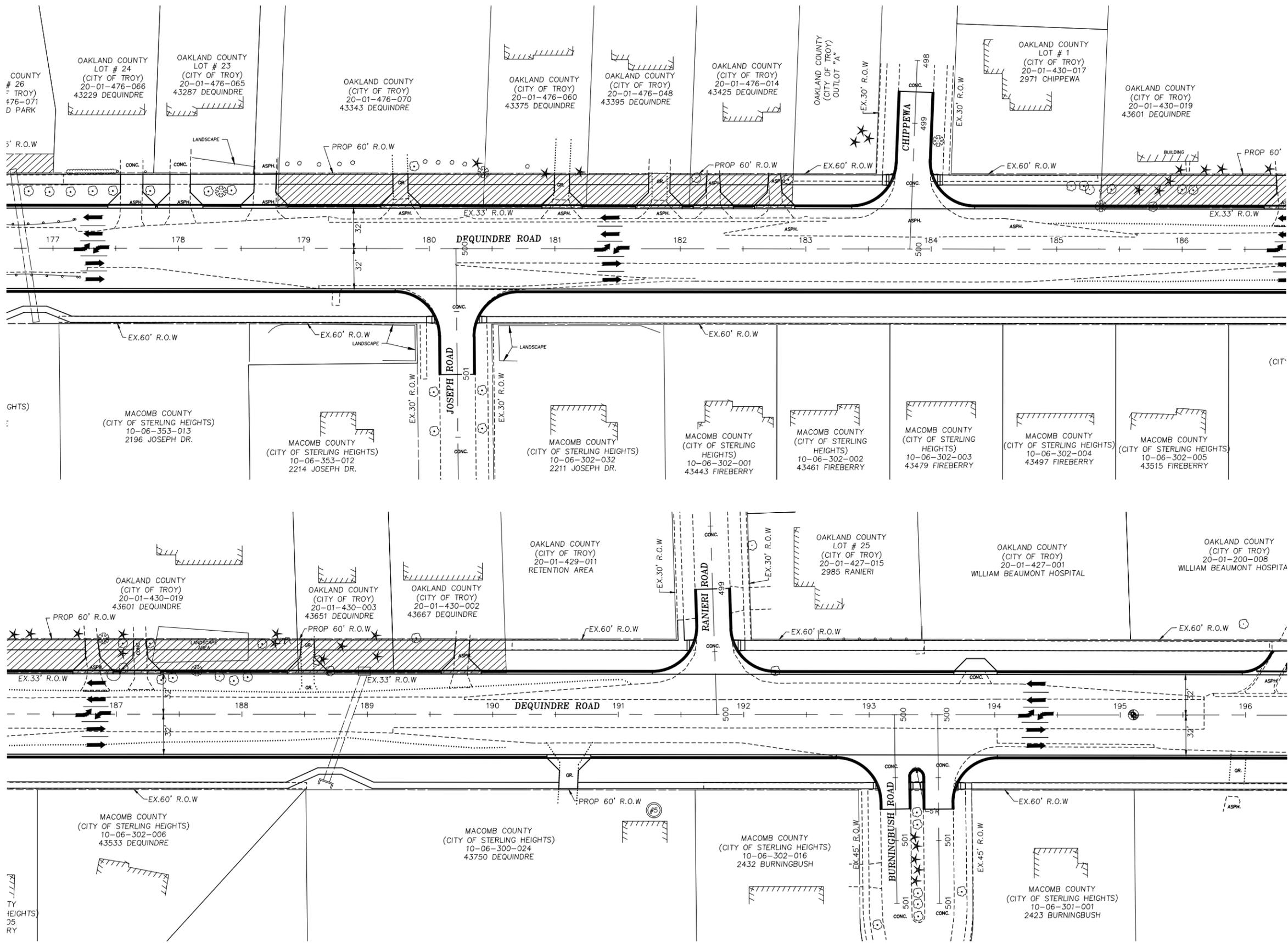
<p>ROAD COMMISSION for OAKLAND COUNTY BEVERLY HILLS, MICHIGAN PHONE: 817-858-4804 WEB: WWW.ROADCOMB.ORG</p>	PROJECT NO. 46901	EA - 158+00 TO 177+00	DESIGN PHASE
	DATE 12/04/2013		DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD



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- PROPOSED HIGHWAY EASEMENT

APPENDIX D
PREFERRED ALT. & R.O.W. NEEDS

T:\PROJECTS\46901 - DEQUINDRE LONG LAKE TO AUBURN\PLAN PRODUCTION\MASTER PLANS\46901 DEQUINDRE ENVIRONMENTAL ASSESSMENT SHEETS Jan. 7, 14 - 11:53 AM

PROJECT NO. 46901 SQUAD NO. SQUAD 2 PROJECT NAME: DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD CONTROL SECTION ### MDOT JOB NO. ###

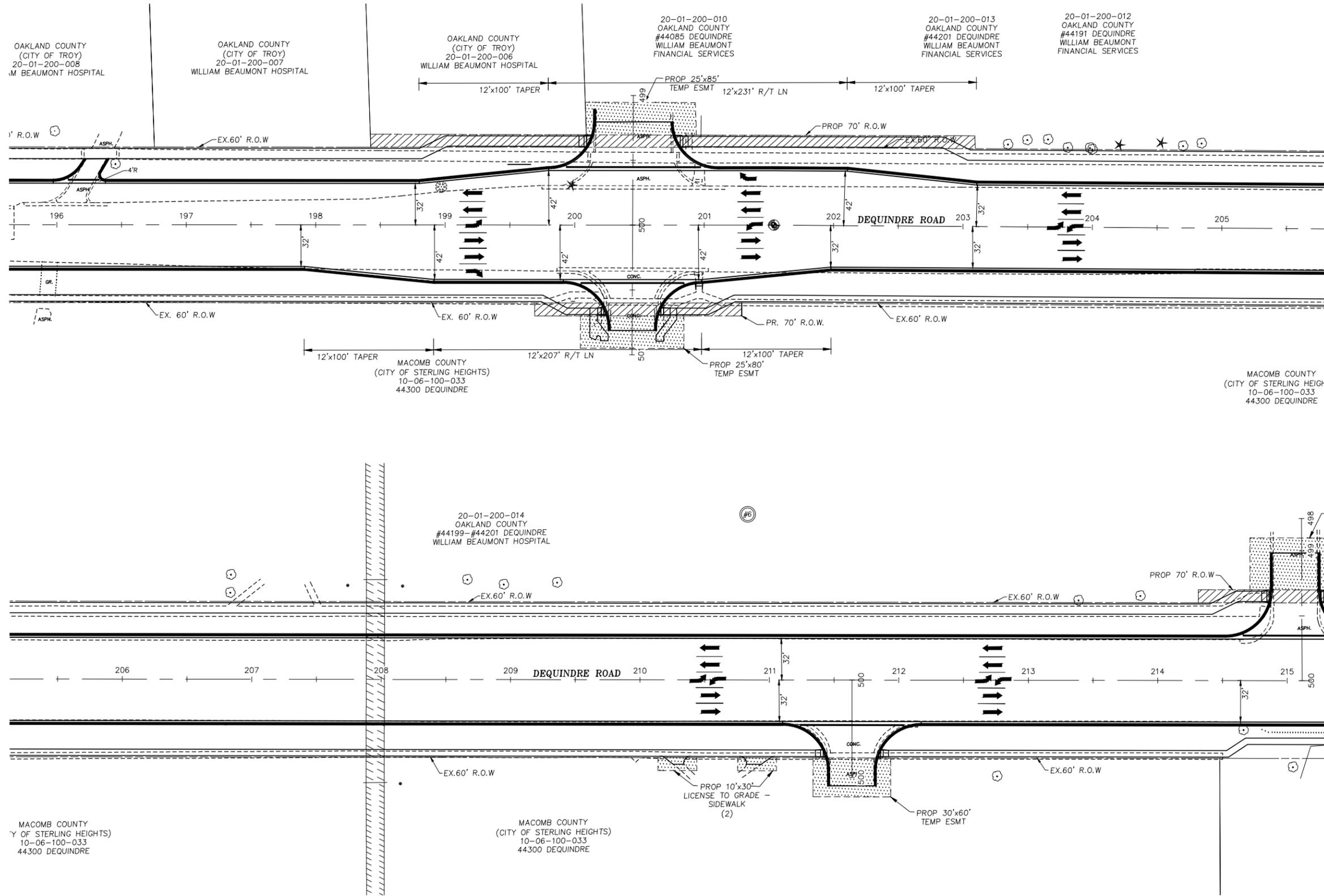
<p>ROAD COMMISSION for OAKLAND COUNTY BEVERLY HILLS, MICHIGAN PHONE: 877-858-4804 WEB: WWW.ROADCOM.MI.GOV</p>	PROJECT NO. 46901	EA - 177+00 TO 196+00	DESIGN PHASE
	DATE 12/04/2013		DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD



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- RECEPTOR LOCATION FOR NOISE LEVEL ANALYSIS - SEE SECTION 3.8 OF ENVIRONMENTAL ASSESSMENT
- PROPOSED HIGHWAY EASEMENT
- PROPOSED LICENSE TO GRADE
- PROPOSED TEMPORARY EASEMENT

APPENDIX D
PREFERRED ALT. & R.O.W. NEEDS

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PROJECT NAME: DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD CONTROL SECTION ## MDOT JOB NO. ##

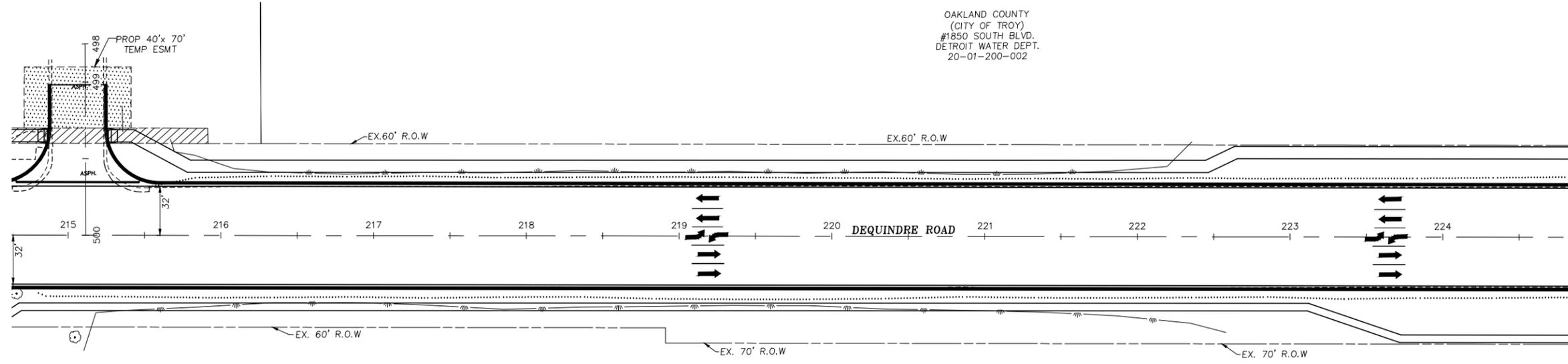
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	DATE 12/04/2013		SHEET NO. 5 OF 14



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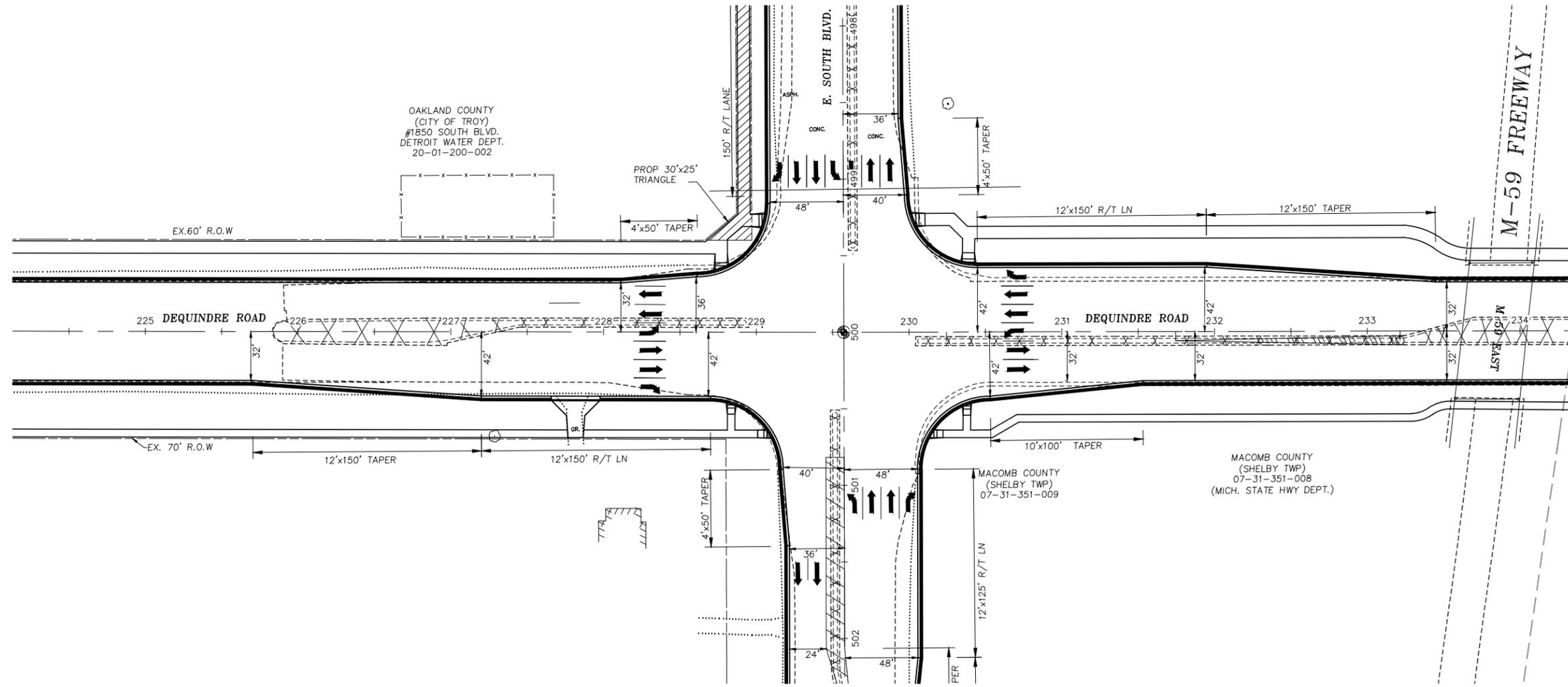
MACOMB COUNTY
(CITY OF STERLING HEIGHTS)
WILLIAM BEAUMONT HOSPITAL
10-06-100-002
44950 DEQUINDRE

MACOMB COUNTY
(CITY OF STERLING HEIGHTS)
WILLIAM BEAUMONT HOSPITAL
10-06-100-002
44950 DEQUINDRE

OAKLAND COUNTY
(CITY OF TROY)
#1850 SOUTH BLVD.
DETROIT WATER DEPT.
20-01-200-002

OAKLAND COUNTY
(CITY OF TROY)
#1850 SOUTH BLVD.
DETROIT WATER DEPT.
20-01-200-002

MACOMB COUNTY
(SHELBY TWP)
07-31-351-008
(MICH. STATE HWY DEPT.)



- PROPOSED HIGHWAY EASEMENT
- PROPOSED TEMPORARY EASEMENT

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PROJECT NO. 46901 PROJECT NAME: DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD CONTROL SECTION ### MDT JOB NO. ### SQUAD NO. SQUAD 2

 BEVERLY HILLS, MICHIGAN PHONE: 877-858-4804 WEB: WWW.ROADCOMB.ORG	PROJECT NO. 46901	EA - 215+00 TO 234+00	DESIGN PHASE DESIGN PHASE
	DATE 12/04/2013	DEQUINDRE ROAD LONG LAKE ROAD TO AUBURN ROAD	SHEET NO. 6 OF 14