



500 West Big Beaver  
Troy, MI 48084  
troymi.gov



## CITY COUNCIL AGENDA ITEM

Date: June 11, 2020

To: Mark F. Miller, City Manager

From: Robert Bruner, Assistant City Manager  
Robert C. Maleszyk, Chief Financial Officer  
Lisa Burnham, Accounting Manager  
William J. Huotari, City Engineer

Subject: Agreement for Traffic Control Device – Coolidge Highway and Maple Road  
(Signal No. 125) - Project No. 21.107.6

### **History:**

The existing traffic signal at Coolidge Highway and Maple Road is proposed to be modernized or upgraded as part of the Road Commission for Oakland County (RCOC) 2020 Traffic Signal Upgrade program. Coolidge Highway and Maple Road involve a County road, a City of Birmingham Road (north side of Maple Road and west side of Coolidge Highway) and a City of Troy road (south side of Maple Road and east side of Coolidge Highway and Coolidge Highway, south of Maple). Maple Road, east of Coolidge Highway is an RCOC road. Troy therefore has a 50% share of the project cost with the RCOC and City of Birmingham each responsible for 25% of the project cost.

Ownership and maintenance of traffic signals is based on road jurisdiction (number of legs of an intersection) or entities that benefit from the traffic signal. Costs are shared proportionately based on the percentage jurisdiction and/or benefitting entities.

### **Financial:**

The cost participation agreement presented shares costs between the Cities of Birmingham and Troy and the RCOC. Troy's share of the project is 50% or \$150,000. Birmingham and RCOC have a 25% share of the project or \$75,000 for each agency. The total project cost is \$300,000. Funds are included in the 2021 Capital Projects Fund (401.447.479.211076). The City is invoiced once the work is complete, so funds will not be spent until after July 1, 2020.

### **Recommendation:**

Staff recommends that City Council approve the attached Agreement for Traffic Control Device (Signal No. 125) between the City of Troy and the Board of County Road Commissioners of Oakland County in the amount of \$300,000 at an estimated cost to the City of Troy of \$150,000 for the traffic signal modernization at the intersection of Coolidge Highway and Maple Road.

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



Notes:



**STATE OF MICHIGAN  
BOARD OF COUNTY ROAD COMMISSIONERS  
OAKLAND COUNTY  
AGREEMENT FOR TRAFFIC CONTROL DEVICE**

**Type of Work: Traffic Signal Modernization and Maintenance**

**Location: Coolidge Highway and Maple Road**

**Signal No: 125**

**Date Effective:**

Under authority of state law and by virtue of resolution formally adopted by their respective governing bodies, the under-signed hereby agree to participate in the cost of installation, removal, maintenance and operation of the above traffic control device on the basis of the following division of costs. (Title to equipment shall remain with the purchasing agency, unless purchased for roads not under the jurisdiction of the Board of County Road Commissioners of the County of Oakland.) Invoices for costs are to be billed monthly by the Road Commission for Oakland County ("RCOC").

**DIVISION OF COSTS**

AGENCY	MODERNIZATION		MAINTENANCE
	Percent	Estimated Cost	Percent
RCOC	25 %	\$ 75,000.00	25 %
City of Birmingham	25 %	\$ 75,000.00	25 %
City of Troy	50 %	\$ 150,000.00	50 %
Total	100 %	\$ 300,000.00	100 %

It is further agreed that the RCOC will be the agency invoiced for energy billings and/or communications billings ("BILLINGS"). The RCOC will pay the invoices for the BILLINGS and subsequently invoice the cities of BIRMINGHAM and TROY seeking reimbursement for payment of the BILLINGS pursuant to the division of costs stated above. The RCOC's payment of the BILLINGS shall be included as maintenance costs on the RCOC invoice to the cities of BIRMINGHAM and TROY.

It is further agreed that the agency responsible for making original and replacement installations and performing maintenance shall be the RCOC. All under-signed are the agencies responsible for the costs related to installation and maintenance pursuant to the division of costs stated above, and the RCOC will invoice the cities of BIRMINGHAM and TROY for the installation and maintenance costs pursuant to the division of costs stated above.

The cities of BIRMINGHAM and TROY shall pay all RCOC invoices within 30 days of the date of the invoice.

Each party to this agreement will remain responsible for any and all claims arising out of its own acts and/or omissions during the performance of the agreement, as provided by this agreement or by law. In addition, this is not intended to increase or decrease either party's liability for or immunity from tort claims. This agreement is also not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this agreement.

In the event the traffic control device referred to in this agreement is located on a road or street that is under the jurisdiction of the RCOC and by virtue of this agreement will be maintained by an agency other than the RCOC, then and in that event the said agency hereby acknowledges that it is undertaking the RCOC's duty to maintain the said traffic control device, further agrees to provide insurance coverage protecting the RCOC, and further agrees to provide a Certificate of Insurance acceptable to the RCOC upon the agency's execution of this agreement.

This agreement is terminable on thirty days written notice by any party. The cities of BIRMINGHAM and TROY shall pay any outstanding invoices upon written notice of the termination, and the final invoice shall be paid immediately upon receipt.

APPROVED:

**ROAD COMMISSION FOR OAKLAND COUNTY**

Date \_\_\_\_\_

By \_\_\_\_\_

Danielle Deneau, P.E.

DIRECTOR OF TRAFFIC-SAFETY

Title of Authorized Official

APPROVED:

**CITY OF BIRMINGHAM**

Date \_\_\_\_\_

By \_\_\_\_\_

Title of Authorized Official

APPROVED:

**CITY OF TROY**

Date \_\_\_\_\_

By \_\_\_\_\_

Title of Authorized Official

\*Certified copy of resolution must be submitted with this form for new installations.