



500 West Big Beaver
Troy, MI 48084
troymi.gov



CITY COUNCIL AGENDA ITEM

Date: January 25, 2022

To: Mark F. Miller, City Manager

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

Subject: Cost Participation Agreement for Road Work on Livernois, Long Lake to South Blvd

History:

Through our continued partnership with the Road Commission for Oakland County (RCOC) and our willingness to look for ways to improve our roads utilizing outside funding, the attached cost participation agreement details costs associated with the resurfacing of Livernois Road, from Long Lake Road to South Boulevard.

The RCOC offered to move this major road project up if the city agreed to a 50/50 project cost split. By moving this project, we avoid a conflict with Rochester Road in the future as both projects were originally anticipated to be under construction in 2025.

RCOC will design the resurfacing project and will perform the resulting construction engineering (inspection, testing and project management) at no cost to the project or city. Construction will take place in the summer of 2022.

Financial:

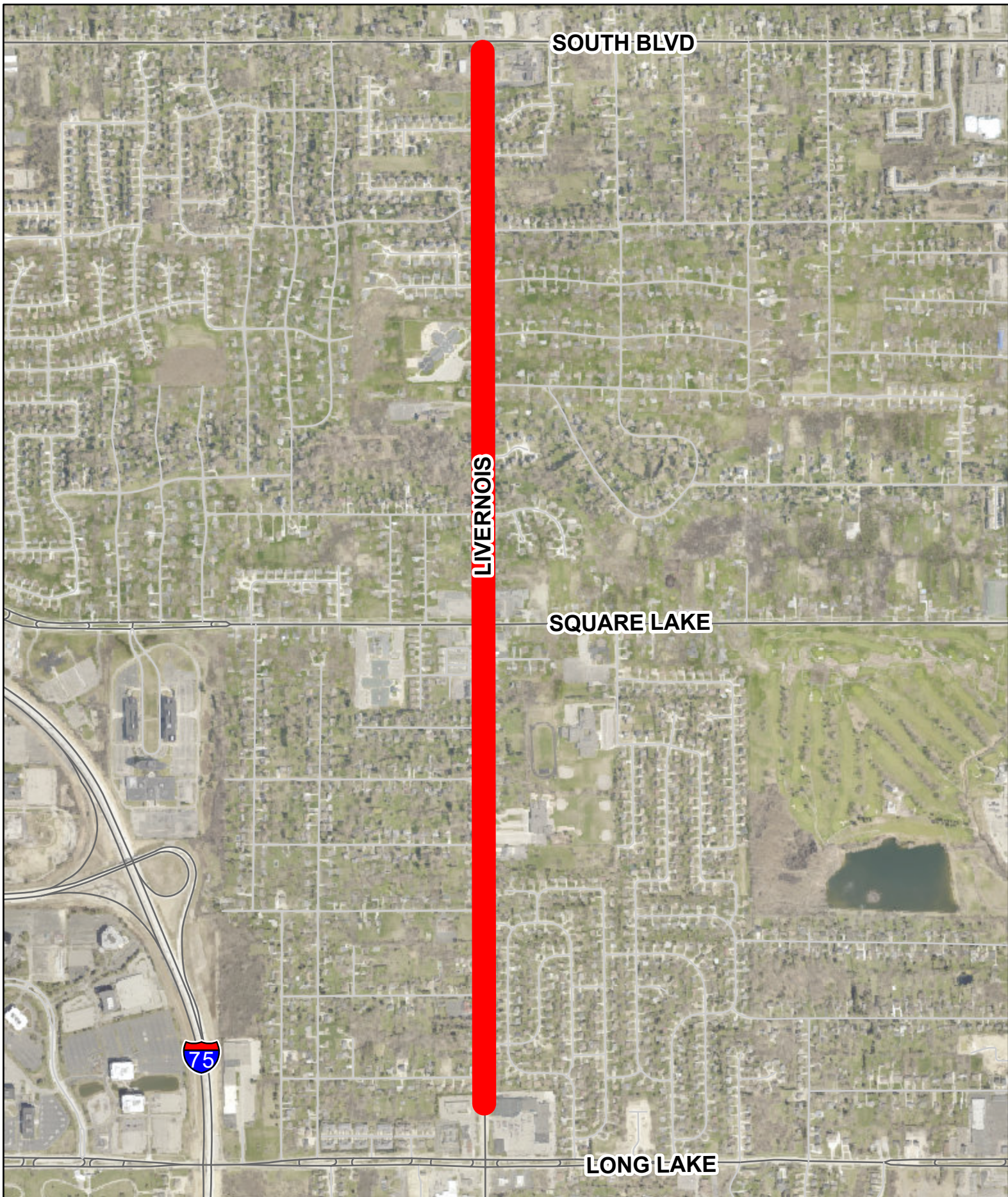
The estimated total project cost is \$550,000. Exhibit A provides details as to each agencies share of project costs. Troy's share is \$275,000 but is further reduced by utilizing Tri-Party funds such that the city's share is 1/3 of \$275,000 or an estimated \$91,667. RCOC's share is \$366,666 and Oakland County's share is \$91,667. Funds for Troy's share of the work are included in the proposed 2023 Major Road Fund. The RCOC would not invoice the city for our share until after July 1, 2022.

Recommendation:

Staff recommends that City Council approve the attached Cost Participation Agreement between the City of Troy and the Board of County Road Commissioners for Oakland County for the resurfacing of Livernois Road, from Long Lake Road to South Boulevard in the amount of \$550,000 with the City of Troy share estimated at \$91,667. Furthermore, staff recommends that the Mayor and City Clerk be authorized to execute the agreement.

Legal Review:

This item was submitted to the City Attorney for review pursuant to City Charter Section 3.17.



Pavement Resurfacing
Livernois - Long Lake to South Blvd



From: [Luebbert, Laura L](#)
To: [William J Huotari](#)
Cc: [Noechel, Tom](#)
Subject: Cost Participation Agreement for Livernois Road - Project No. 56721
Date: Tuesday, January 25, 2022 10:07:57 AM
Attachments: [image001.png](#)
[Cost Participation Agreement for Livernois Road, Troy - Project No. 56721.pdf](#)

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Mr. Huotari,

Attached is the cost participation agreement for Livernois Road.

Please arrange for the agreement to be signed **without the date**.

The signed agreement can be returned electronically or through US Mail. Our Board will return a fully executed original to you after their action.

Please reply to this email to confirm your receipt of the agreement and feel free to contact me for any questions or concerns.

Sincerely,

Laura Luebbert

Engineering Aide

Email: lluebbert@rcoc.org



Programming Division

31001 Lahser Road

Beverly Hills, MI 48025

Phone: 248-645-2000 Ext. 2213

Fax: 248-645-0618

Report road concerns to 877-858-4804 or www.rcocweb.org

COST PARTICIPATION AGREEMENT

CONSTRUCTION

Livernois Road

Long Lake Road to South Boulevard

City of Troy

Board Project No. 56721

This Agreement, made and entered into this ____ day of _____, 2022, by and between the Board of County Road Commissioners of 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 resurfacing of Livernois Road from Long Lake Road to South Boulevard, as 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 \$550,000; and

WHEREAS, said PROJECT involves certain designated and approved Tri-Party Program funding in the amount of \$275,000, 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; 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 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 total payments to the contractor. Any costs incurred by the BOARD prior to this agreement date shall be allowable.
3. The estimated total PROJECT cost of \$550,000 shall be invoiced simultaneously and proportionately as follows:
 - a. Tri-Party Program funding in the amount of \$275,000.
 - b. The BOARD shall contribute \$275,000 toward the LOCAL SHARE.
 - c. Any PROJECT costs above the Tri-Party Program funding of \$550,000 will be funded 100% by the BOARD.
4. After July 1, 2022, the BOARD shall submit an invoice to the COMMUNITY in the amount of \$91,667 (being 100% of the COMMUNITY'S Tri-Party contribution).
5. After July 1, 2022, the BOARD shall submit an invoice to the COUNTY in the amount of \$91,667 (being 100% of the COUNTY'S Tri-Party contribution).
 - a. The invoice shall be sent to:

Lynn Sonkiss, Manager of Fiscal Services
Executive Office Building
2100 Pontiac Lake Road, Building 41 West
Waterford, MI 48328
6. Upon receipt of said invoice(s), the COMMUNITY and the COUNTY 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 OF THE
COUNTY OF OAKLAND
A Public Body Corporate

By_____

Its_____

CITY OF TROY

By_____

Its_____

By_____

Its_____

EXHIBIT A
TRI-PARTY PROGRAM
Livernois Road
Long Lake Road to South Boulevard
City of Troy
Board Project No. 56721

Resurfacing Livernois Road from Long Lake Road to South Boulevard.

ESTIMATED CONSTRUCTION COST

Contractor Payments:	<u>\$550,000</u>
Total Estimated Project Cost:	<u><u>\$550,000</u></u>

COST PARTICIPATION BREAKDOWN

	COMMUNITY	COUNTY	BOARD	TOTAL
FY2022 Tri-Party Program	\$91,667	\$91,667	\$91,666	\$275,000
Contribution			\$275,000	\$275,000
TOTAL SHARES	\$91,667	\$91,667	\$366,666	\$550,000