



500 West Big Beaver  
Troy, MI 48084  
troymi.gov



## CITY COUNCIL AGENDA ITEM

Date: May 9, 2022

To: Mark F. Miller, City Manager

From: Robert Bruner, Assistant City Manager  
Robert C. Maleszyk, Chief Financial Officer  
Dee Ann Irby, Controller  
Kurt Bovensiepe, Public Works Director  
William J. Huotari, City Engineer

Subject: Cost Participation Agreement for Road Work on Maple Road, Coolidge Highway to Rochester Road – Project No. 15.105.6

### **History:**

The City's ongoing partnership with the RCOC and our continued efforts to utilize outside funding helps to keep Troy's roads some of the best in region. The attached cost participation agreement details costs associated with the resurfacing of Maple Road, from Coolidge Highway to Rochester Road.

RCOC designed, received bids 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 \$1,492,556. Exhibit A provides details as to each agency's share of the project costs. Project costs are to be split by Troy (\$228,409); Clawson (\$40,701); Oakland County (\$269,110); and RCOC (\$954,336) based on the use of Tri-Party program funds. Funds for Troy's share of the work are included in the proposed 3-Year Capital Budget for Major Roads. The RCOC will invoice the city for our share after July 1, 2022 (\$108,579) and February 1, 2023 (\$119,830), respectively.

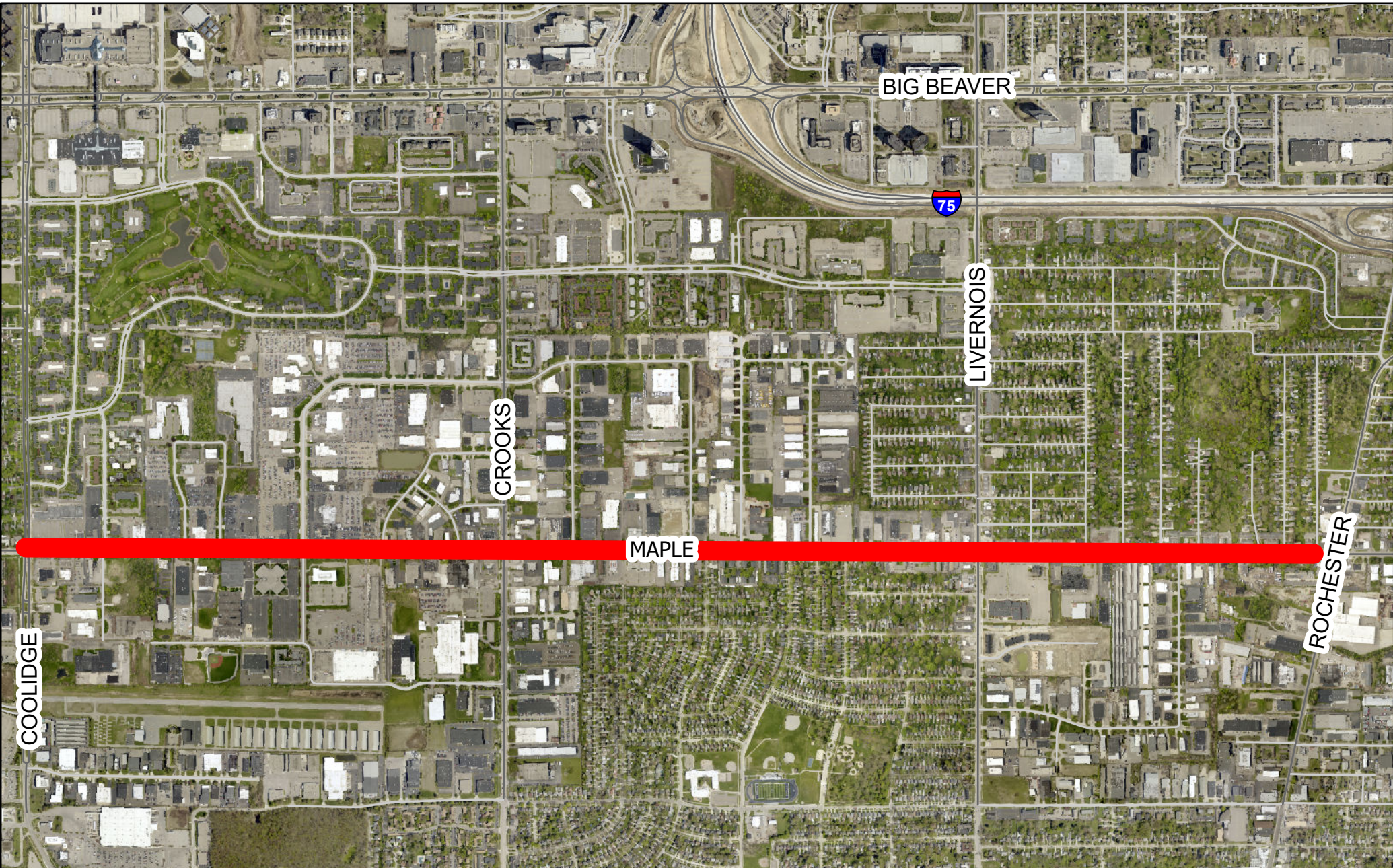
### **Recommendation:**

Staff recommends that City Council approve the attached Cost Participation Agreement between the City of Troy and the Board of Road Commissioners of the County of Oakland for the resurfacing of Maple Road, from Coolidge Highway to Rochester Road in the amount of \$1,492,556 with the City of Troy share estimated at \$228,409. 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  
Maple - Coolidge to Rochester





**From:** [Luebbert, Laura L](#)  
**To:** [William J Huotari](#)  
**Cc:** [Noechel, Tom](#)  
**Subject:** Project 56311 - Maple Road, City of Troy - Cost Participation Agreement  
**Date:** Thursday, April 28, 2022 11:42:21 AM  
**Attachments:** [image001.png](#)  
[Project 56311 - Maple Road, City of Troy - Cost Participation Agreement.pdf](#)

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**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 Maple Road.

Please arrange for the agreement to be signed (page 4) **without** the date (page 1).

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 feel free to contact me for any questions or concerns.

Sincerely,

***Laura Luebbert***

Engineering Aide

Email: [lluebbert@rcoc.org](mailto: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](http://www.rcocweb.org)

# **COST PARTICIPATION AGREEMENT**

## **CONSTRUCTION**

Maple Road

Coolidge Highway to Rochester Road

City of Troy

Board Project No. 56311

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 TROY, provides as follows:

WHEREAS, the BOARD, TROY, and the City of Clawson, hereinafter referred to as CLAWSON, have programmed the resurfacing of Maple Road from Coolidge Highway to Rochester Road, as described in Exhibit "A", attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD and within TROY and CLAWSON, which improvements are hereinafter referred to as the PROJECT; and

WHEREAS the estimated total cost of the PROJECT is \$1,492,556; and

WHEREAS, TROY share of said LOCAL SHARE involves certain designated and approved Tri-Party Program funding in the amount of \$685,227, which shall be paid through equal contributions by the BOARD, TROY, and the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY; and

WHEREAS, all the parties hereto have reached a mutual understanding regarding the cost sharing for 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 TROY and the BOARD that:

1. TROY and CLAWSON approve of the PROJECT, declare 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 is \$1,492,556 and shall be allocated simultaneously and proportionately as follows:
  - a. Tri-Party Program funding shall be allocated as follows:
    1. TROY has agreed to contribute \$685,227 and will fund their share from the Tri-Party Program.

\$359,490 is from the FY2023 Tri-Party Program which has not yet been announced. If these funds are not available, the COMMUNITY shall be responsible for the \$359,490 share.
    2. CLAWSON has agreed to contribute \$122,104 and will fund their share from the Tri-Party Program.
    3. The BOARD shall contribute \$685,225 towards the PROJECT.
  - b. Any PROJECT costs above TROY Tri-Party Program funding of \$685,227 and CLAWSON Tri-Party Program funding of \$122,104 will be funded 100% by the BOARD.

4. After July 1, 2022, the BOARD shall submit an invoice to TROY in the amount of \$108,579 (being 100% of TROY'S FY2022 Tri-Party contribution).
  - a. After February 1, 2023, the BOARD shall submit an invoice to TROY in the amount of \$119,830 (being 100% of TROY'S remaining Tri-Party contribution balance).
5. Upon execution of this agreement and approval by the COUNTY, the BOARD shall submit an invoice to the COUNTY in the amount of \$108,579 (being 100% of the COUNTY'S FY2022 Tri-Party contribution).
  - a. After February 1, 2023, the BOARD shall submit an invoice to the COUNTY in the amount of \$119,830 (being 100% of COUNTY'S remaining Tri-Party contribution balance).
  - b. The invoice shall be sent to:  
  
Lynn Sonkiss, Manager of Fiscal Services  
Executive Office Building  
2100 Pontiac Lake Road, Building 41 West
6. The total actual LOCAL SHARE will be determined from the records of the BOARD upon completion of State financial audits of the PROJECT and a final determination of the total federal funds used on the PROJECT. Final adjustments in the financial obligations of the parties hereto will be made upon completion of the required audits.
7. Upon receipt of said invoice(s), the TROY and the COUNTY shall pay to the BOARD the full amount thereof, within thirty (30) days of such receipt.
8. The BOARD previously executed a separate Cost Participation Agreement with CLAWSON, for their share of the estimated PROJECT cost.

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**  
Maple Road  
Coolidge Highway to Rochester Road  
City of Troy  
Board Project No. 56311

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Resurfacing of Maple Road from Coolidge Highway to Rochester Road.

<b>ESTIMATED PROJECT COST</b>
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Contractor Payments	<u>\$1,492,556</u>
Total Estimated Local Share	<u><b>\$1,492,556</b></u>

<b>COST PARTICIPATION BREAKDOWN</b>
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	TROY	CLAWSON	COUNTY	BOARD	TOTAL
TRI-PARTY PROGRAM	\$228,409	\$0	\$228,409	\$228,409	\$685,227
TRI-PARTY PROGRAM	\$0	\$40,701	\$40,701	\$40,702	\$122,104
Contribution				\$685,225	\$685,225
TOTAL	\$228,409	\$40,701	\$269,110	\$954,336	<b>\$1,492,556</b>