

**COST PARTICIPATION AGREEMENT**

**CONSTRUCTION**

Walton Boulevard

Sashabaw Road to Clintonville Road

Charter Township of Waterford

Board Project No. 56011

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 Charter Township of Waterford, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD and the COMMUNITY, in cooperation with the Michigan Department of Transportation, hereinafter referred to as MDOT, have programmed the pavement removal and resurfacing along Walton Boulevard from Sashabaw Road to Clintonville 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 the COMMUNITY, which improvements are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$4,362,851; and

WHEREAS, the BOARD has entered into an agreement with MDOT in Contract No. 22-5205 for the pavement removal and resurfacing along Walton Boulevard from Sashabaw Road to Clintonville Road under the Federal Highway Infrastructure COVID Program and Surface Transportation Program funds in the amount of \$3,708,423; and

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

WHEREAS, COMMUNITY share of said LOCAL SHARE involves certain designated and approved Tri-Party Program funding in the amount of \$327,214, 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, all the parties have reached a mutual understanding regarding the cost sharing for the LOCAL SHARE 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 LOCAL SHARE is \$654,428 and shall be allocated in the following order:
  - a. Tri-Party Program funding in the amount of \$327,214.
  - b. The BOARD shall contribute \$327,214 toward the LOCAL SHARE.
  - c. Any PROJECT costs above total LOCAL SHARE of \$654,428 shall be funded 50% by the BOARD and 50% by the COMMUNITY. The COMMUNITY'S 50% will be funded first with any available Tri-Party Program funds. If no Tri-Party Program funds are available, any PROJECT costs above \$327,214 will be funded 100% by the COMMUNITY.

4. Upon execution of this agreement, the BOARD shall submit an invoice to the COMMUNITY in the amount of \$109,071 (being 100% of the COMMUNITY'S Tri-Party contribution).
5. After execution of this agreement and approval by the COUNTY, the BOARD shall submit an invoice to the COUNTY in the amount of \$109,071 (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 \_\_\_\_\_

Charter Township of Waterford

By \_\_\_\_\_

Its \_\_\_\_\_

# EXHIBIT A

## TRI-PARTY PROGRAM

Walton Boulevard

Sashabaw Road to Clintonville Road

Charter Township of Waterford

Board Project No. 56011

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Pavement removal and resurfacing along Walton Boulevard from Sashabaw Road to Clintonville Road.

ESTIMATED PROJECT COST
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Contractor Payments: \$4,362,851

Less Federal Funds: (\$3,708,423)

Total Estimated Local Shares: **\$654,428**

COST PARTICIPATION BREAKDOWN
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	COMMUNITY	COUNTY	BOARD	TOTAL
TRI-PARTY PROGRAM	\$109,071	\$109,071	\$109,072	\$327,214
Contribution	\$0	\$0	\$327,214	\$327,214
<b>TOTAL LOCAL SHARES</b>	<b>\$109,071</b>	<b>\$109,071</b>	<b>\$436,286</b>	<b>\$654,428</b>