



CITY OF NOVI CITY COUNCIL
MARCH 23, 2020

SUBJECT: Consideration of approval of a cost participation agreement with the Road Commission for Oakland County for the preliminary engineering and right-of-way acquisition associated with the resurfacing and widening of 10 Mile Road from Meadowbrook Road to Haggerty Road, in the estimated amount of \$133,040.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

| | |
|-------------------------------|---------------------------|
| EXPENDITURE REQUIRED | \$ 133,040.00 |
| AMOUNT BUDGETED | \$ 159,648.00 |
| APPROPRIATION REQUIRED | \$ 0 |
| LINE ITEM NUMBER | 204-204.00-865.187 |

BACKGROUND INFORMATION: A 10 Mile Road Corridor Study was completed by OHM Advisors in 2019, which found the section between Meadowbrook Road and Haggerty Road in need of significant traffic operation improvements. Based on the findings of the study, the project will include the addition of a continuous center left turn lane, road resurfacing, drainage, and traffic signal improvements.

Since 10 Mile Road is under the jurisdiction of the Road Commission for Oakland County (RCOC), the City worked with the RCOC to reach an agreement on project funding. The RCOC agreed to reserve Federal Aid dollars in their FY2024, with the City choosing to front the costs of the project for advance construction in 2022. Additionally, Tri-Party Funding dollars will be utilized on the project, lowering the overall cost of the project for the City.

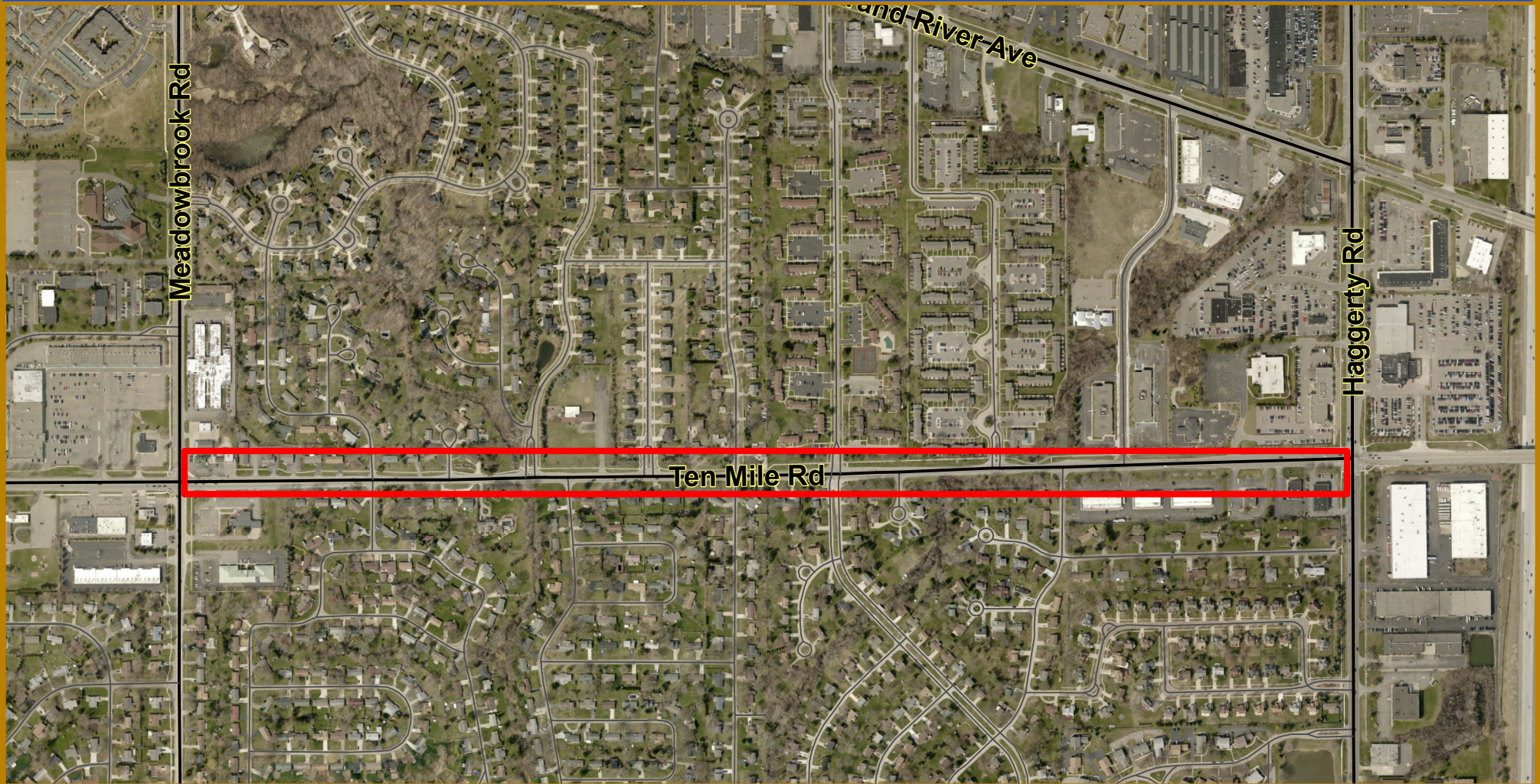
The cost participation agreement enclosed is for the design portion of the 10 Mile Road project, which may include a field survey, environmental assessment, geotechnical investigation, preliminary and final plan preparation, bid document preparation, and right-of-way acquisition. The breakdown of design costs is as follows:

| | City of Novi | Oakland County Board of Commissioners | RCOC Board | Total |
|--------------------------|-----------------|--|---------------|-----------|
| FY2020 Tri-Party Program | \$108,480 | \$108,480 | \$108,480 | \$325,440 |
| Contribution | \$24,560 | \$0 | \$350,000 | \$374,560 |
| Total Shares | \$133,040 | \$108,480 | \$458,480 | \$700,000 |

The City Attorney favorable reviewed the attached agreement (Beth Saarela, March 4, 2020).

RECOMMENDED ACTION: Approval of a cost participation agreement with the Road Commission for Oakland County for the preliminary engineering and right-of-way acquisition associated with the resurfacing and widening of 10 Mile Road from Meadowbrook Road to Haggerty Road, in the estimated amount of \$133,040.

10 Mile Road Widening (Meadowbrook Road to Haggerty Road)



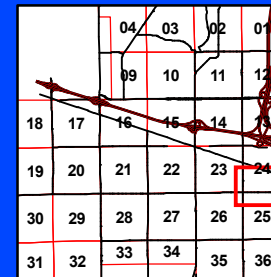
Map Author: Rebecca Runkel
 Date: 1-31-20
 Project: 10 Mile Road Widening
 Version #: 1.0

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

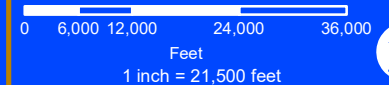


Project Limits



City of Novi

Engineering Division
 Department of Public Works
 26300 Lee BeGole Drive
 Novi, MI 48375
cityofnovi.org



ELIZABETH KUDLA SAARELA
esaarela@rsjalaw.com

27555 Executive Drive, Suite 250
Farmington Hills, Michigan 48331
P 248.489.4100 | F 248.489.1726
rsjalaw.com



ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

March 4, 2020

Rebecca Runkel, Staff Engineer
City of Novi
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

Re: 10 Mile Road – Meadowbrook Road to Haggerty – Design – Cost Sharing Agreement

Dear Ms. Runkel:

We have received and reviewed the Cost Participation Agreement prepared by the Board of County Road Commissioners (Board) for the design of road improvements for Ten Mile Road between Meadowbrook Road and Haggerty.

The total project cost is expected to be \$700,000.00. The funding is to be shared by the City of Novi, Oakland County, and the Board of County Road Commissioners on the basis set forth in the Agreement. Any excess amounts will be shared equally by the paid by the Board of County Road Commissioners and the City if no additional Tri-Party Program funds are available.

The Agreement is provided for the limited purpose of setting forth how the project costs will be divided between the named parties. RCOC, as the owner of the roadway, is required to contract separately for completion of the project.

Please feel free to contact me with any questions or concerns in regard to this matter.

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

A handwritten signature in blue ink, appearing to read 'Elizabeth Kudla Saarela', is written over a horizontal line.

Elizabeth Kudla Saarela

EKS

Rebecca Runkel, Staff Engineer
City of Novi
March 4, 2020
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Enclosure

C: Cortney Hanson, Clerk (w/Enclosure)
Megan Mikus, Deputy DPW Director (w/Enclosure)
Ben Croy, City Engineer (w/Enclosure)
Thomas R. Schultz, Esquire (w/Enclosure)

COST PARTICIPATION AGREEMENT

PRELIMINARY ENGINEERING

RIGHT-OF-WAY ACQUISITION

10 MILE ROAD

Meadowbrook Road to Haggerty Road

City of Novi

Board Project No. 55601

This Agreement, made and entered into this _____ day of _____, 2020, 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 Novi, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD and the COMMUNITY have programmed the preliminary engineering and right-of-way acquisition for the future resurfacing and widening of 10 Mile Road from Meadowbrook Road to Haggerty 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 DESIGN; and

WHEREAS, the estimated total cost of the DESIGN is \$700,000; and

WHEREAS, said DESIGN involves certain designated and approved Tri-Party Program funding in the amount of \$325,400, 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 DESIGN 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 DESIGN, declares its public necessity, and authorizes the BOARD to perform or cause to be performed, and complete the DESIGN along with all administration in reference thereto.
2. The DESIGN may consist of the preparation of reports and studies, environmental assessments, data, notes, tracings, drawings, soil borings, traffic engineering, drainage investigations, including preliminary plans, specifications, and estimate preparation, necessary for the construction. Any costs incurred by the BOARD prior to this agreement date shall be allowable.
3. The RIGHT OF WAY is hereby defined as all costs necessary for the right-of-way acquisition work including engineering, appraisals, acquisition, legal, 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. Any costs incurred by RCOC prior to this agreement date shall be allowable.
3. The estimated total DESIGN cost of \$700,000 shall be shared equally between the BOARD and the COMMUNITY. It shall be invoiced and funded in the following order:
 - a. Tri-Party Program funding in the amount of \$325,440.
 - b. The COMMUNITY shall contribute \$24,560 toward the DESIGN and the BOARD shall contribute \$350,000 toward the DESIGN, simultaneously.
 - c. Any DESIGN costs above \$700,000 will be funded first with any available Tri-Party Program Funds. If no Tri-Party Program Funds are available, any DESIGN costs above \$700,000 will be shared equally between the BOARD and the COMMUNITY.
4. Upon execution of this agreement, the BOARD shall submit an invoice to the COMMUNITY in the amount of \$133,040 (being 100% of the COMMUNITY'S Tri-Party contribution and their additional contribution of \$24,560).

5. After execution of this agreement and approval by the COUNTY, the BOARD shall submit an invoice to the COUNTY in the amount of \$108,480 (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 NOVI

By _____

Its _____

EXHIBIT A
TRI - PARTY PROGRAM
10 Mile Road
Meadowbrook Road to Haggerty Road
City of Novi
Board Project No. 55601

The performance of preliminary engineering which may include, but is not limited to a field survey of the project, an environmental assessment, the development of a preliminary plan showing the proposed roadway design and pavement cross section, the identity of potential issues affecting the proposed paving the preparation of a set of plans showing the existing conditions including property lines and rights of way, obtaining utility information and mapping it on the plans, the preparation of final plans and opinions of probable cost, obtaining soil borings in the project area, the preparation of specifications and bid documents and other related work necessary to develop the complete design.

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|------------------------------|
| ESTIMATED DESIGN COST |
|------------------------------|

| | |
|------------------------------|-------------------------|
| Preliminary Engineering | \$450,000 |
| Right-of-Way Acquisition | <u>\$250,000</u> |
| Total Estimated Project Cost | <u><u>\$700,000</u></u> |

| |
|-------------------------------------|
| COST PARTICIPATION BREAKDOWN |
|-------------------------------------|

| | COMMUNITY | COUNTY | BOARD | TOTAL |
|--------------------------|------------------|------------------|------------------|------------------|
| FY2020 Tri-Party Program | \$108,480 | \$108,480 | \$108,480 | \$325,440 |
| Contribution | \$24,560 | \$0 | \$350,000 | \$374,560 |
| TOTAL SHARES | \$133,040 | \$108,480 | \$458,480 | \$700,000 |