



**CITY OF NOVI CITY COUNCIL**  
**MARCH 14, 2022**

**SUBJECT:** Approval of a cost participation agreement with Ascension Providence Hospital for the construction of a sidewalk connection between the ITC Trail, Wildlife Woods Park, and Ascension Providence Hospital, with Ascension Providence Hospital's estimated responsibility in the amount of \$26,068.50.

**SUBMITTING DEPARTMENT:** Department of Public Works, Engineering Division

**BACKGROUND INFORMATION:**

In 2020, the Southeast Michigan Council of Governments (SEMCOG) selected the City's ITC Trail to Wildlife Woods Park Pathway Connection for funding through the Michigan Department of Transportation's (MDOT's) Transportation Alternatives Program (TAP). On September 13, 2021, City Council adopted a resolution authorizing approval of a cost share agreement with MDOT for the construction of a pathway connection between the existing ITC Trail and Wildlife Woods Park. The project is split into two parts:

- Part A: Pathway connection from Wildlife Woods Park to the ITC Trail
- Part B: Pathway connection from the ITC Trail to Ascension Providence Hospital property line (not eligible for grant funds)

Ascension Providence Hospital approached the City last year about the pathway connection because Ascension had been planning to expand its internal pathway network, and a connection to the ITC Trail and Wildlife Woods Park from Ascension's property would be beneficial to Ascension's visitors. City staff worked with Ascension staff and the City Attorney to draft a cost participation agreement where Ascension agrees to pay the City for construction of Part B, \$26,068.50, which will connect to Ascension's planned trail network. The City Attorney favorably reviewed the cost participation agreement between the City and Ascension Providence Hospital (Beth Saarela, February 24, 2022). Construction of the pathway connections is expected to begin in April 2022.

**RECOMMENDED ACTION:** Approval of a cost participation agreement with Ascension Providence Hospital for the construction of a sidewalk connection between the ITC Trail, Wildlife Woods Park, and Ascension Providence Hospital, with Ascension Providence Hospital's estimated responsibility in the amount of \$26,068.50.

# ITC Trail to Wildlife Woods Park Pathway Location Map



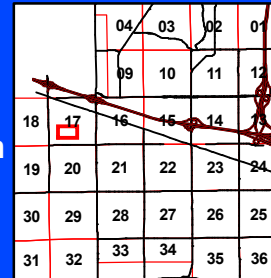
Map Author: Rebecca Runkel  
 Date: 4/13/21  
 Project: Wildlife Woods to ITC Path  
 Version: 1.4

**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.

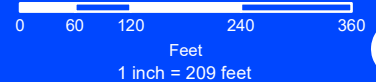
**PART A - Proposed 10' Asphalt Pathway (included in TAP grant)**

**Part B - Ascension Providence Extension (not included in TAP grant)**



## City of Novi

Engineering Division  
 Department of Public Works  
 26300 Lee BeGole Drive  
 Novi, MI 48375  
[cityofnovi.org](http://cityofnovi.org)



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ROSATI | SCHULTZ  
JOPPICH | AMTSBUECHLER

February 24, 2022

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

**Re: *Wildlife Woods Park/ITC Trail – Ascension Sidewalk Segment – Cost Sharing Agreement***

Dear Ms. Runkel:

We have received and reviewed the enclosed final executed Cost Participation Agreement between the City and Ascension Providence Hospital for the purpose of constructing an additional segment of sidewalk to allow a connection between the ITC Trail and Wildlife Woods Park for the public to access over and through the ITC Corridor, terminating at Ascension's Property. The sidewalk connection will provide benefits to Ascension's visitors by providing direct access to the ITC Trail and Wildlife Woods Park from Ascension's Property over the ITC Corridor to Wildlife Woods Park once Ascension completes its internal trail network. The City included this additional segment to its project at Ascension's request subject to Ascension's payment of construction costs for this additional segment.

The Cost Participation Agreement has been prepared by our office with input from Community Development and the City's Engineering Division for the purpose of setting forth the estimated cost of constructing the additional segment and providing for Ascension's agreement to pay this share of the City's project. The Cost Participation Agreement is satisfactory for the purpose provided and once approved and executed by the City, should be retained in the City's file.

If you have any questions regarding the above, please do not hesitate to contact me.

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. The signature is fluid and cursive.

Elizabeth Kudla Saarela

Enclosures

Rebecca Runkel, Civil Engineer

City of Novi

February 24, 2022

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C: Cortney Hanson, Clerk (w/Enclosures)  
Jeffrey Herczeg, Director of Public Works (w/Enclosures)  
Charles Boulard, Community Development Director (w/Enclosures)  
Barb McBeth, City Planner (w/Enclosures)  
Lindsay Bell, Planner (w/Enclosures)  
Ben Croy, City Engineer (w/Enclosures)  
Thomas R. Schultz, Esquire (w/Enclosures)

**COST PARTICIPATION AGREEMENT**  
**SIDEWALK CONSTRUCTION**

**ITC TRAIL CONNECTION TO WILDLIFE WOODS PARK**  
**ASCENSION PROVIDENCE PROPERTY**  
City of Novi

This Agreement, made and entered into this \_\_\_ day of \_\_\_\_\_, 2022, by and between ASCENSION PROVIDENCE HOSPITAL, a Michigan non-profit corporation, whose address is 47601 Grand River Ave., Novi, Michigan 48374 (Owner) and the City of Novi, a Michigan municipal corporation, whose address is 48375 Ten Mile, Novi, 48375 (City), provides as follows:

WHEREAS, the City is currently constructing a sidewalk connection project over various parcels of Property in the City of Novi for the purpose of making a sidewalk connection between the existing ITC Trail and Wildlife Woods Park (the "Project"). Construction of an additional segment of sidewalk would allow a connection between the ITC Trail and Wildlife Woods Park for the public to access over and through the ITC Corridor, terminating at the Owner's Property, as shown in the attached and incorporated Exhibit A (the "Ascension Segment"). The sidewalk connection would provide benefits to the Owner's visitors by providing direct access to the ITC Trail and Wildlife Woods Park from Owner's Property over the ITC Corridor to Wildlife Woods Park once the Owner completes its planned internal trail network. The City is willing to include the Ascension Segment to allow this additional connection, as a change order to its Project subject to the payment of construction costs for the Ascension Segment by Owner; and

WHEREAS, the City has obtained an easement over the ITC Corridor in the location of the Ascension Segment;

WHEREAS, the estimated total cost of constructing the Ascension Segment is \$26,068.50 and

WHEREAS, the parties hereto have reached a mutual understanding regarding the cost sharing of the Ascension Segment 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 City and Owner that:

1. The City shall undertake and complete the construction of the Ascension Segment, as above described in the attached and incorporated Exhibit A in connection with the Project.
2. Upon completion of the Ascension Segment, the City shall own the Ascension Segment and shall be responsible for on-going maintenance, repair, and replacement of the Ascension Segment at its own expense.
3. The City shall be responsible for the cost of maintaining the easement per its agreement with ITC.
4. In addition to payment for the Ascension Segment, Owner agrees to permit public access over its internal trail system and has agreed to grant a license to the City confirming public access over its internal trails. The license agreement shall be provided prior to the Final Stamping Set approval for the Owner's internal trail connecting to the Ascension Segment.
5. Any cost overages with respect to construction of the Ascension Segment shall be paid by Owner.

6. Upon execution of this Agreement, the City shall submit an invoice to the Owner for the total amount due (being 100% of the Owner's share of the estimated total cost of the Ascension Segment).

a. The invoices shall be sent to:

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7. Upon receipt of said invoice, the Owner shall pay to the City 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.

CITY OF NOVI, a Michigan municipal corporation

By \_\_\_\_\_  
Robert J. Gatt  
Its: Mayor

By \_\_\_\_\_  
Cortney Hanson  
Its: Clerk

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022, by Robert J. Gatt, Mayor, and Cortney Hanson, Clerk of the City of Novi, on its behalf.

\_\_\_\_\_  
Notary Public  
Acting in \_\_\_\_\_ County  
My  
Commission Expires: \_\_\_\_\_




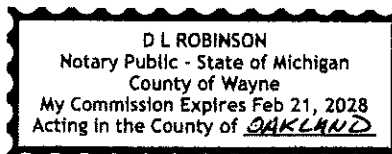
ASCENSION PROVIDENCE HOSPITAL, a Michigan nonprofit corporation

By 

STATE OF Michigan )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

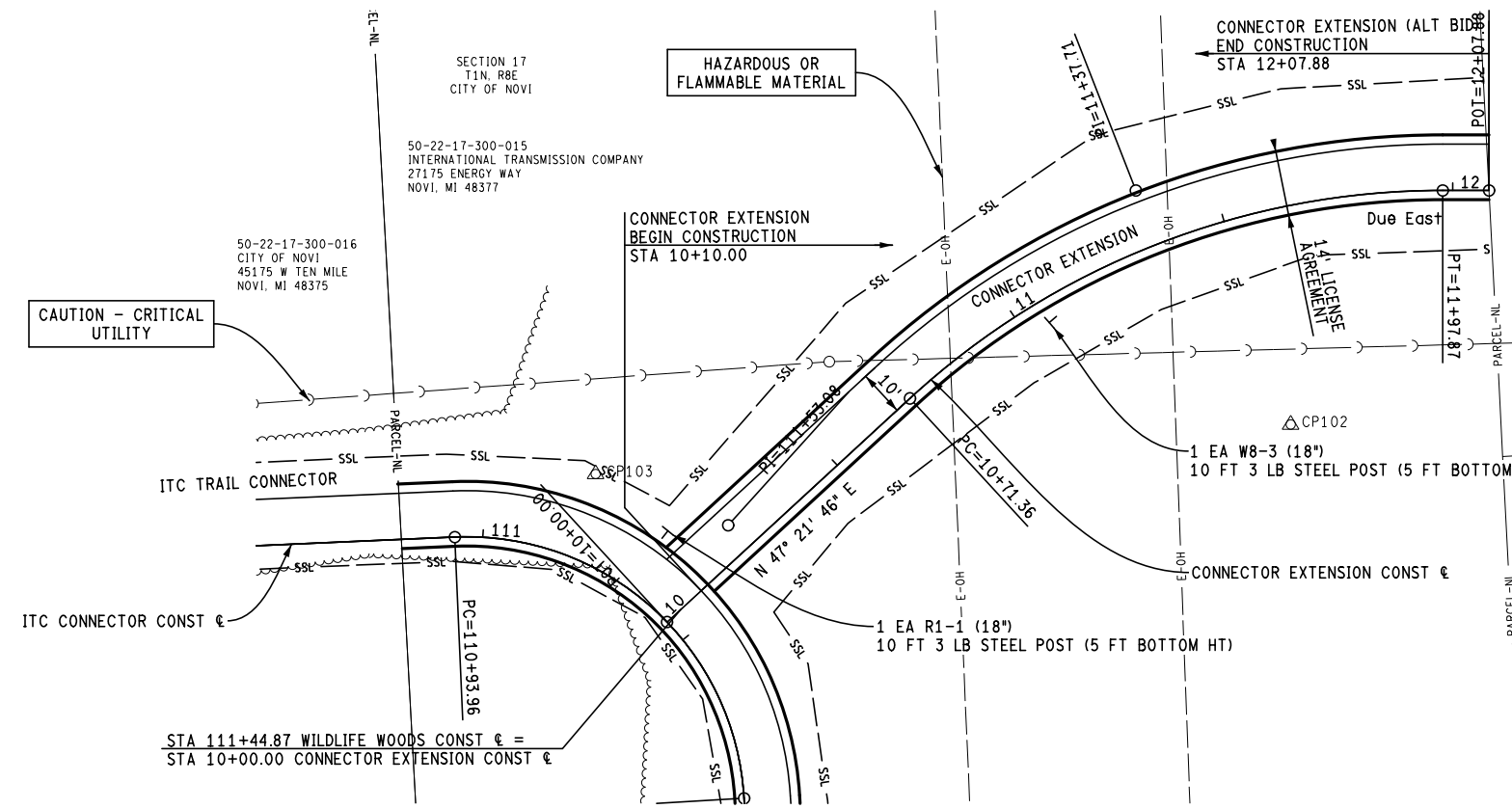
The foregoing instrument was acknowledged before me this 21 day of February, 2022, by Roland Cruickshank, as the President of Ascension Providence Hospital, a Michigan nonprofit corporation, on its behalf.

  
Notary Public  
Acting in Oakland County  
My Commission Expires: 2-21-28

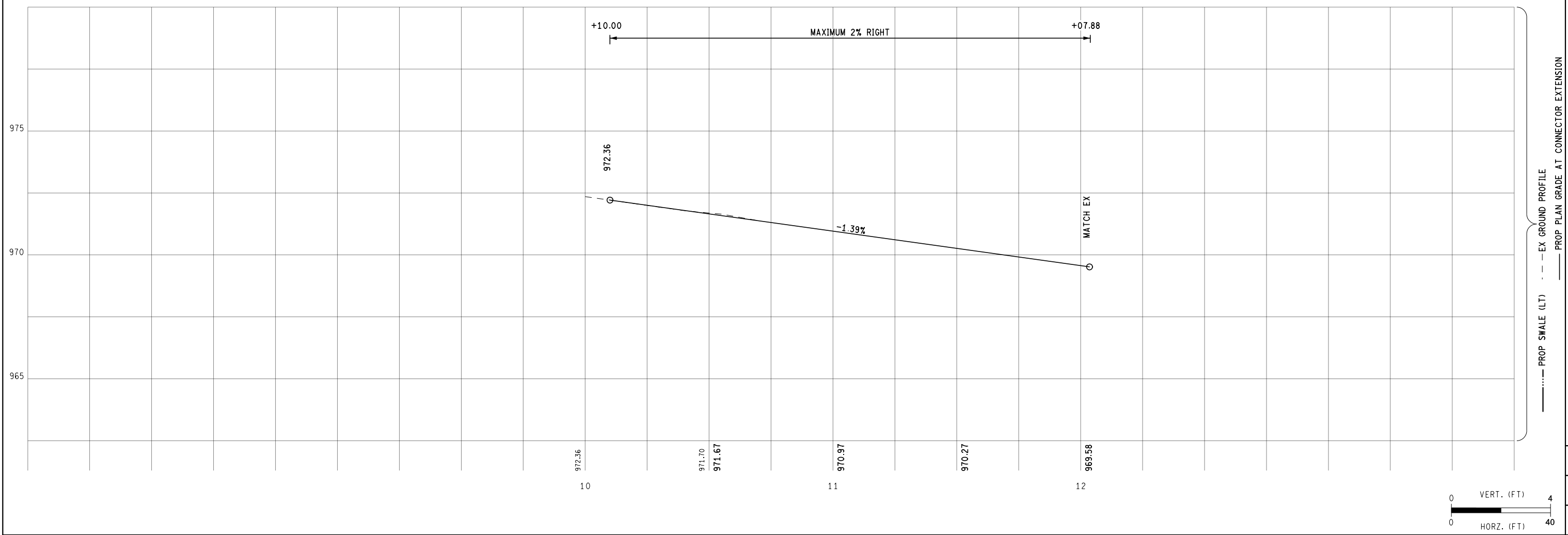




**EXHIBIT A**  
**ASCENSION SEGMENT/CONNECTOR EXTENSION**



WILDLIFE WOODS EXTENSION CONST		
Δ	=	42° 38' 14" (RT)
D	=	33° 42' 12"
T	=	66.34'
L	=	126.51'
R	=	170.00'
E	=	12.49'
PC	=	10+71.36
PI	=	11+37.71
PT	=	11+97.87
	N	359,453.60
	E	13,350,215.63
	N	359,498.54
	E	13,350,264.44
	N	359,498.54
	E	13,350,330.78



FILE: WildlfeWoods-EXT-ALT-BID-PLN.dgn

AUTH	DATE	REVISION

**AECOM**

**CITY OF NOVI**

ITC TRAIL CONNECTION TO WILDLIFE WOODS PARK

ITC TO WILDLIFE WOODS STA 10+10 TO 12+07.88

JOB  
60644439

DATE  
04/09/21

SHEET  
10

Line	Breakdown ID	Pay Item	Description	Quantity	Units	Unit Price	Total
<b>Category: 0003 Category 3</b>							
0021	000	2057021	_ Subgrade Undercutting, Special (1 X 3)	35.000	Cyd	\$45.00	\$1,575.00
0022	000	2087001	_ Erosion Control, Silt Fence, Modified	379.000	Ft	\$3.50	\$1,326.50
0023	000	3027011	_ Aggregate Base, 21AA Limestone, 6 inch	269.000	Syd	\$14.00	\$3,766.00
0024	000	3087011	_ Geogrid, Triaxial, Special	45.000	Syd	\$5.00	\$225.00
0025	000	8060040	Shared use Path, HMA	57.000	Ton	\$200.00	\$11,400.00
0026	000	8067001	_ Shared Use Path, Grading, Special	198.000	Ft	\$30.00	\$5,940.00
0027	000	8100371	Post, Steel, 3 lb	20.000	Ft	\$15.00	\$300.00
0028	000	8100405	Sign, Type IIIB	5.000	Sft	\$30.00	\$150.00
0029	000	8167001	_ Slope Restoration, Modified	198.000	Ft	\$7.00	\$1,386.00
						<b>Category 0003 Total:</b>	<b>\$26,068.50</b>