



## CITY of NOVI CITY COUNCIL

**Agenda Item 4  
June 4, 2018**

**SUBJECT:** Approval of a cost participation agreement with the Oakland County Board of Commissioners for the Realignment of Flint Street in the amount of \$244,897.

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

**CITY MANAGER APPROVAL:** 

**BACKGROUND INFORMATION:**

The Oakland County Board of Commissioners has approved the Realignment of Flint Street construction project for the Local Road Improvement Matching Fund Pilot Program. The purpose of the program is to help local agencies fund road construction projects that remove impediments to the economic development of the community.

The estimated construction cost for the project is \$1,521,000 and they will provide \$244,897 in project funding. The City will be responsible for the remaining cost and all non-construction costs. The City's construction share of the project is \$1,276,103.

Currently, the construction of this project is set to begin next year. However, it is dependent upon the construction of the proposed private development along the south side of Flint Street known "The District." Flint Street is the third of four phases to complete the ring roads around Novi Town Center.

City Attorney reviewed the attached local cost share agreement and recommends the agreement is sufficient for the purpose of assigning estimated project costs between the City and the Oakland County Board of Commissioners (Beth Saarela, May 22, 2018).

**RECOMMENDED ACTION:** Approval of a cost participation agreement with the Oakland County Board of Commissioners for the Realignment of Flint Street in the amount of \$244,897.

# Flint Street Local Roads Improvement Program Grant

## Location Map



Map Author: Joseph Akers  
 Date: June 4, 2018  
 Project: Flint Street LRIP  
 Version #: 1.1

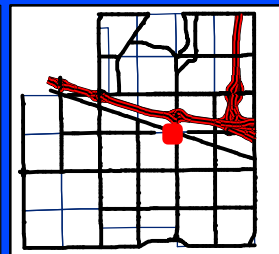
Amended By:  
 Date:  
 Department:

**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.

### Legend

 Proposed Road Alignment



### City of Novi

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



1 inch = 167 feet



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May 22, 2018

George Melistas, Senior Engineering Manager  
City of Novi  
Department of Public Services -- Field Services Complex  
26300 Lee BeGole Drive  
Novi, MI 48375

**RE: Local Road Improvement Matching Fund Pilot Program - Cost Participation Agreement – Flint Street -2018-18**

Dear Mr. Melistas:

We have received and reviewed the Cost Participation Agreement prepared by the Board of County Road Commissioners (Board) for the realignment of Flint Street.

As set forth in Exhibit A, the total project cost is expected to be \$1,521,000.00. The Board of County Road Commissioners will provide the City reimbursement in the amount of \$244,897.00. The excess amount will be paid by the City.

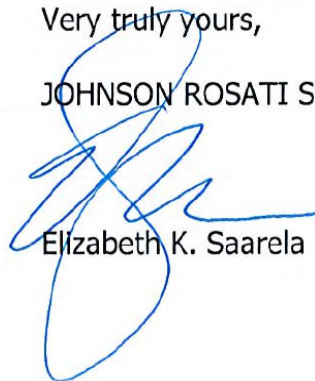
The Agreement is provided for the limited purpose of setting forth how the project costs will be divided between the named parties. The City is required to contract separately for completion of the project and administer the project.

Based on the limited purpose and scope of the contract, we see no legal impediment to entering into the Agreement with the Board.

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

Very truly yours,

JOHNSON ROSATI SCHULTZ JOPPICH



Elizabeth K. Saarela

EKS

Enclosure

C: Cortney Hanson, Clerk (w/Enclosure)  
Jeffrey Herczeg, DPS Director (w/Enclosure)  
Joseph Akers, Civil Engineer (w/Enclosures)  
Thomas R. Schultz, Esquire (w/Enclosure)



CITY OF NOVI  
CITY CLERK'S OFFICE

2018 MAY 18 P 2:47

**BOARD OF COMMISSIONERS**

1200 N. Telegraph Road  
Pontiac, MI 48341-0475  
Phone: (248) 858-0100  
Fax: (248) 858-1572

May 17, 2018

City Manager Pete Auger  
45175 W. Ten Mile Rd.  
Novi, MI 48375-3024

Dear City Manager Auger,

I am pleased to inform you that the Board of Commissioners has approved your application for funding under the 2018 Pilot Local Road Improvement Program.

Poor conditions on our roads create an impediment to the economic development of our community and diminish the excellent quality of life our residents expect. Oakland County is proud to be a partner with your local government to provide much needed investment in our local transportation infrastructure.

Enclosed you will find two (2) copies of a Cost Participation Agreement. Following approval by your governing authority and execution of the agreement, please forward the documents to:

Oakland County Board of Commissioners  
Attn: Michael Andrews, Sr. Analyst  
1200 N. Telegraph Road  
Pontiac, Michigan 48341-0475

We will return a fully executed copy to you for your records. After you receive the finalized agreement, you can invoice our Management and Budget office as instructed in the agreement for payment.

If you have any questions regarding the program or agreement, please feel to contact Michael Andrews, Sr. Analyst of the Board of Commissioners at (248)858-5115 or [andrewsmb@oakgov.com](mailto:andrewsmb@oakgov.com). In addition, please feel free to contact me if I can be of further assistance.

Sincerely,

Hugh D. Crawford  
Oakland County Commissioner

## LOCAL ROAD IMPROVEMENT MATCHING FUND PILOT PROGRAM

### COST PARTICIPATION AGREEMENT

Realignment of Flint Street

City of Novi

Board Project No. 2018-18

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2018, by and between the Board of 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 has established the Pilot Local Road Improvement Matching Fund Program, hereinafter the PROGRAM, for the purposes of improving economic development in Oakland County cities and villages. The terms and policies of the PROGRAM are contained in Attachment A. The BOARD intends the PROGRAM to assist its municipalities by offering limited funds, from state statutory revenue sharing funds, for specific, targeted road maintenance and/or improvement projects on roadways under the jurisdiction of cities and villages; and

WHEREAS, the BOARD shall participate in a city or village road project in an amount not exceeding 50% of the cost of the road improvement, hereinafter referred to as the PROJECT, and also not exceeding the Preliminary Distribution Formula as it relates to the COMMUNITY, (Attachment B); and

WHEREAS, the COMMUNITY has identified the PROJECT as the Realignment of Flint Street, as more fully described in Attachment C, attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of and within the COMMUNITY and are not under the jurisdiction of the Road Commission for Oakland County or state trunk lines; and

WHEREAS, the COMMUNITY has acknowledged and agreed to the BOARD's policies regarding the PROGRAM, Attachment A, and further acknowledge and agree that the PROJECT's purpose is to encourage and assist businesses to locate and expand within Oakland County and shall submit a report to the BOARD identifying the effect of the PROJECT on businesses in the COMMUNITY at the completion of the PROJECT. In addition, the COMMUNITY acknowledges that the program is meant to supplement and not replace funding for existing road programs or projects; and

WHEREAS, the COMMUNITY has acknowledged and agreed that the PROGRAM is expressly established as a pilot program and there is no guarantee that the PROGRAM will be continued from year to year. The COMMUNITY further acknowledges and agrees that if the PROJECT is a multi-year road improvement project, the maximum number of years for the PROJECT funding is two (2) years. The BOARD anticipates that most PROJECTS funded under the PROGRAM will be completed by the end of calendar year 2019. There is no obligation on behalf of the BOARD to fund either the PROJECT or the PROGRAM in the future; and

WHEREAS the COMMUNITY has acknowledged and agreed that the COMMUNITY shall assume any and all responsibilities and liabilities arising out of the administration of the PROJECT

and that Oakland County shares no such responsibilities in administering the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$1,521,000; and

WHEREAS, said PROJECT involves certain designated and approved Local Road Improvement Matching Funds in the amount of \$244,897, which amount shall be paid to the COMMUNITY by the BOARD; 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 and BOARD resolution(s), it is hereby agreed between the COMMUNITY and the BOARD that:

1. The BOARD approves of the PROJECT, and in reliance upon the acknowledgements of the COMMUNITY, finds that the PROJECT meets the purpose of the PROGRAM.

2. The BOARD approves of a total funding amount under the PROGRAM for the PROJECT in an amount not to exceed \$244,897. The COMMUNITY shall submit an invoice to the COUNTY in the amount of \$244,897.

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

3. Upon receipt of said invoice and upon execution of this Agreement, the BOARD shall pay the COMMUNITY the sum of \$244,897 from funds available in the PROGRAM.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

OAKLAND COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Its: \_\_\_\_\_

COMMUNITY

By: \_\_\_\_\_

It's: \_\_\_\_\_