



**CITY OF NOVI CITY COUNCIL
NOVEMBER 28, 2022**

SUBJECT: Approval of a cost participation agreement with the Road Commission for Oakland County (RCOC) for the construction associated with the rehabilitation of Novi Road from Nine Mile Road to Ten Mile Road, with the estimated City-share in the amount of \$98,593.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

EXPENDITURE REQUIRED	\$ 98,593.00
AMOUNT BUDGETED	\$ 98,593.00
APPROPRIATION REQUIRED	\$ 0
LINE ITEM NUMBER	204-204.00-865.221

BACKGROUND INFORMATION:

The Road Commission for Oakland County (RCOC) was awarded funding for rehabilitation of Novi Road, between 9 Mile Road and 10 Mile Road through the Michigan Department of Transportation (MDOT) Highway Infrastructure Program COVID and Surface Transportation Program. The project was also approved for Tri-Party Program funding in the amount of \$295,778, which includes monies from fiscal years 2023 and 2024. The cost participation agreement assumes these funds will be available, which would cover Novi's share. If the funds are not available, Novi will be responsible for the \$295,778 share.

The cost participation agreement enclosed is for the construction phase of the Novi Road project and has been favorably reviewed by the City Attorney (Saarela, November 21, 2022). The project will consist of two stages:

- Stage 1 includes the replacement of three culverts under Novi Road. Novi Road will be closed to through traffic for approximately 6 weeks. Traffic will be detoured on Meadowbrook Road.
- Stage 2 includes an asphalt mill and overlay of Novi Road from Vero Court to Nick Lidstrom Drive. Concrete slab replacement at Novi Road and 10 Mile Road will start

after asphalt resurfacing work. Novi Road will be open for southbound traffic only; northbound traffic will be detoured on Meadowbrook Road.

Additional work includes upgrades to drainage, guardrail, pedestrian crossings, traffic signals at 9 Mile Rd/Novi Rd and Nick Lidstrom Dr/Novi Rd intersections, and extension of the center left-turn lane from Nick Lidstrom Drive to Little Falls Boulevard.

Construction of Stage 1 is expected to begin this winter. Stage 2 construction is expected to begin in spring 2023.

Estimated Project Cost

Contractor Payments: \$4,176,963
Less Federal Funds: (\$3,585,407)
Total Estimated Project Cost: \$591,556

Cost Participation Breakdown

	City of Novi	Oakland County Board of Commissioners	Board of County Road Commissioners	Total
Tri-Party Program	\$98,593	\$98,593	\$98,592	\$295,778
Contribution	-	-	\$295,778	\$295,778
Total Shares	\$98,593	\$98,593	\$394,370	\$591,556

RECOMMENDED ACTION: Approval of a cost participation agreement with the Road Commission for Oakland County (RCOC) for the construction associated with the rehabilitation of Novi Road between 9 Mile Road and 10 Mile Road, with the estimated City-share in the amount of \$98,593.




Novi Road Rehabilitation 9 Mile Rd to 10 Mile Rd (RCOC)



Map Author: Runkel
Date: 11-15-22
Project: Novi Rd, 9 to 10 Mile
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.

Legend

-  Concrete Slab Replacement
-  Asphalt Resurfacing
-  Culvert Replacement



City of Novi

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



0 150 300 600 900
Feet
1 inch = 710 feet

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ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

November 18, 2022

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

**Re: RCOC Cost Participation Agreement - Novi Road
9 Mile Road to 10 Mile Road- Board Project No. 55051**

Dear Ms. Runkel:

We have received and reviewed the Cost Participation Agreement prepared by the Board of County Road Commissioners (Board) for the hot mix asphalt, cold milling and overlay on Novi Road from 9 Mile Road to 10 Mile Road, in the City. The total project cost is \$4,176,963. Federal funding from the Highway Infrastructure Program COVID and Surface Transportation Program will be provided up to \$3,585,407. The remaining cost of the road rehabilitation will be shared equally by the City, the County, and RCOC by using Tri-party funds toward the project.

The Agreement is provided for the limited purpose of setting forth how the project costs will be paid by the named parties. MDOT has contracted separately for completion of the project.

Subject to Engineering review and approval of the cost breakdown of the project, we see no legal impediment to entering into the Cost Sharing Agreement.

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 light blue horizontal line.

Elizabeth Kudla Saarela

EKS
Enclosure

Rebecca Runkel, Project Engineer
City of Novi
November 18, 2022
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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

CONSTRUCTION

Novi Road

9 Mile Road to 10 Mile Road

City of Novi

Board Project No. 55051

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 Novi, hereinafter referred to as NOVI, provides as follows:

WHEREAS, the BOARD and NOVI have programmed the hot mix asphalt, cold milling and overlay on Novi Road from 9 Mile Road to 10 Mile 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 NOVI, which improvements are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$4,176,963; and

WHEREAS, the BOARD has entered into an agreement with MDOT in Contract No. 22-5483 for the hot mill asphalt, cold milling and overlay on Novi Road from 9 Mile to 10 Mile Road under the Highway Infrastructure Program COVID and Surface Transportation Program up to, and shall not exceed, the amount of \$3,585,407; and

WHEREAS, said PROJECT involves certain designated and approved Tri-Party Program funding in the amount of \$295,778, which amount shall be paid through equal contributions by the BOARD, NOVI, and the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY; and

WHEREAS, the BOARD and NOVI 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, it is hereby agreed between NOVI and the BOARD that:

1. NOVI 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 cost of \$591,556 shall allocated in the following order:

- a. Tri-Party Program funding in the amount of \$295,778.

The Tri-Party Program funds of \$295,778 includes \$194,719 from fiscal year 2023 and \$101,059 from fiscal year 2024, which has not yet been announced. If these funds are not available, NOVI shall be responsible for the \$295,778 share.

- b. The BOARD shall contribute \$295,778 toward the LOCAL SHARE.
- c. Any PROJECT costs above \$591,556 will funded 100% by the BOARD.

4. After February 1, 2023, the BOARD shall submit two invoices as follows:
 - a. The first invoice shall be payable by NOVI in the amount of \$64,906 (being 100% Tri-Party Program funds from fiscal year 2023).
 - b. The second invoice shall be payable by the COUNTY in the amount of \$64,906 (being 100% of the Tri-Party Program funds from fiscal year 2023). The invoice shall be sent to:

Sheryl Johnson, Manager of Fiscal Services
Executive Office Building
2100 Pontiac Lake Road, Building 41 West
Waterford, MI 48328

5. After February 1, 2024, the BOARD shall submit two invoices as follows:
 - a. The first invoice shall be payable by NOVI in the amount of \$33,687 (being 100% of the Tri-Party Program funds from fiscal year 2024).
 - b. The second invoice shall be payable by the COUNTY in the amount of \$33,687 (being 100% of the Tri-Party Program funds from fiscal year 2024). The invoice shall be sent to:

Sheryl Johnson, 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
 Novi Road
 9 Mile Road to 10 Mile Road
 City of Novi
 Board Project No. 55051

Hot mix asphalt, cold milling and overlay on Novi Road from 9 Mile Road to 10 Mile Road.

ESTIMATED PROJECT COST

Contractor Payments: \$4,176,963
 Less Federal Funds: (\$3,585,407)
 Total Estimated Project Cost: **\$591,556**

COST PARTICIPATION BREAKDOWN

	NOVI	COUNTY	BOARD	TOTAL
TRI-PARTY PROGRAM	\$98,593	\$98,593	\$98,592	\$295,778
Contribution			\$295,778	\$295,778
TOTAL SHARES	\$98,593	\$98,593	\$394,370	\$591,556