

OPWC COOPERATION AGREEMENT

Kings Mills Infrastructure Improvement Project – Phase 1

THIS is an AGREEMENT effective as of date the last Party has affixed their signature hereto, between Deerfield Township, Ohio, an Ohio municipal corporation (“Township”), the Deerfield Regional Stormwater District (“Stormwater District”) and the Warren County Board of County Commissioners, an Ohio county (“County”).

The County hereby agrees to collaborate with the Township and Stormwater District to submit an application to the Ohio Public Works Commission (OPWC) PY35 for the Kings Mills Infrastructure Improvement Project-Phase 1. The estimated total cost of the project is \$1,472,529. The OPWC application will request a 49% grant being an estimated \$721,539.00 with the remaining 51% being the Parties estimated share totaling \$750,990.00, however, the Parties respective obligations shall be as follows:

- 1) The Parties 51% share of the engineering and construction cost is \$750,990.00 of which the Township would pay \$549,702 (37.34%), the Stormwater District would pay \$60,300 (4.10%) and the County would pay \$140,988 (9.56%). The County costs are split between its Water & Sewer Department and County Engineer’s Office, \$115,988 and \$25,000 respectively.

The storm sewer and roadway improvements to be paid for by the Township and Stormwater District shall include storm sewers, catch basins, full depth roadway repairs and asphalt resurfacing. The water and sanitary sewer main improvements to be paid for by the County shall include replacement of 8-inch watermain as well as select replacement with 24-inch watermain and the resetting and remodeling of manholes and various restorations.

The Township shall be the designated contracting entity and shall execute agreements with OPWC, the design engineer and the construction contractor. The Township shall invoice the County Water and Sewer Department for their project cost with payments to be made to the Township.

The Township and County shall jointly review all necessary OPWC funding application documents. Upon approval from each participating member the application documents shall be signed and submitted to the OPWC by the Township.

Should the proposed project be awarded OPWC funding, the Township and County shall review and approve all Engineering Contract(s) for the design of the improvements prior to the Village executing the Contract(s). All design drawings and specifications produced for the improvements shall be reviewed and approved by the Township and County prior to advertisement for bidding and final payment of the Engineer(s). The bidding documents shall meet the design standards and specifications for each of the participating members.

The Township and County shall jointly review all submitted construction bids and shall reach consensus of the award of the construction contract. The Township shall be the contracting entity for the construction of said project. Representatives from the Township and County shall be invited to all construction progress meetings and shall be provided the opportunity to inspect the construction of the improvements. All change orders shall be reviewed and approved by both

the Township and the County. The Township and County shall perform final inspection of the improvements, provide the Construction Contractor with punch list items, and verify that all improvements are completed in accordance with the Contract Documents prior to final payment.

IN EXECUTION WHEREOF, pursuant to Resolution No. _____ of Deerfield Township, Ohio, dated _____, 2019, Lelle Hedding, President of the Board of Deerfield Township Trustees has hereunto set her hand to this Agreement on the _ day of _____, 2019.

DEERFIELD TOWNSHIP, OHIO

By: _____
Lelle Hedding, President

Attest: _____

Fiscal Officer

Approved as to form:

By: _____
Law Director

IN EXECUTION WHEREOF, the WARREN COUNTY BOARD OF COUNTY COMMISSIONERS has caused this agreement to be executed by Shannon Jones, its President, on the date stated below, pursuant to Resolution No. _____, dated _____.

**WARREN COUNTY
BOARD OF COUNTY COMMISSIONERS**

SIGNATURE: _____

PRINTED NAME: Shannon Jones

TITLE: President

DATE: _____

Approved as to form:

DAVID FORNSHELL
PROSECUTING ATTORNEY
WARREN COUNTY, OHIO

By: Adam Nice, Asst. Prosecutor