

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is executed this 18<sup>th</sup> day of October, 2022 by and between the City of Choctaw, (“Choctaw”), and the City of Midwest City, (“Midwest City”).

### WITNESSETH:

**WHEREAS**, Choctaw, together with Midwest City desire to collaborate on a project funded by the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) for the resurfacing of Westminster Road from ½ mile south of NE 10<sup>th</sup> Street north to and including the intersection with NE 10<sup>th</sup> Street; and

**WHEREAS**, Midwest City intends to apply for federal funds through ACOG and if awarded federal funds will proceed with said project; and

**WHEREAS**, Midwest City engineering has prepared a preliminary construction estimate cost of \$500,000; and

**WHEREAS**, Federal participation under the terms of the CRRSAA is 100% of the project construction cost; and

**WHEREAS**, Choctaw and Midwest City will partner and each entity will pay half of any project construction overruns.

**NOW THEREFORE**, the parties agree as follows:

1. Midwest City shall take the lead in the project.
2. Choctaw shall have input in all phases of the project.
3. Midwest City and Choctaw shall split any additional project construction costs over the awarded \$500,000 maximum in a 50/50 manner.
4. The cost of engineering design shall be split in a 50/50 manner if applicable.
5. Choctaw and Midwest City shall get prior approval from the respective City Councils for any additional costs above and beyond those included in the engineering estimate.
6. Any future costs billed after the audit of the completed project shall be split in a 50/50 manner by Choctaw and Midwest City.
7. Choctaw agrees to reimburse Midwest City of any incurred costs within 30 days of receipt of the reimbursement request from Choctaw in accordance with the above agreed procedures.
8. The parties agree that this MOU includes all the covenants, stipulations and provisions agreed upon by the parties. All amendments shall be in writing and approved by all parties.
9. This Agreement shall become effective upon the approval of funding of the CRRSAA funding

APPROVED by the City Council of the City of Choctaw this 18 day of October, 2022.

ATTEST:

Amanda Williams  
City Clerk



THE CITY OF CHOCTAW  
Randy Ross  
MAYOR

APPROVED by the City Council of the City of Midwest City this 25<sup>th</sup> day of October, 2022.

ATTEST:

Sara Hancock  
City Clerk



THE CITY OF MIDWEST CITY  
Mark H. H.  
MAYOR

Approved as to form and legality this 27<sup>th</sup> day of October, 2022.

Ray Vincent  
Ray Vincent, City of Choctaw  
City Attorney

Don Maisch  
Don Maisch, City of Midwest City  
City Attorney