

BIRMINGHAM TOWNSHIP
Consultant Fee Reimbursement
Policy and Procedures

Policy.

It is the policy of Birmingham Township (the "Township") to appoint private consultants ("Consultants") to assist the Township Staff (the "Staff") from time to time. These Consultants are hired to augment the Staff's capabilities with professional expertise in specific disciplines necessary to help promote the public health, safety, and general welfare of the Township and its residents. The Township engages Consultants on projects that benefit either the Township as a whole or the individual property owner. For those projects that benefit the individual property owner, it is the policy of the Township to impose reasonable fees on the individual property owner to cover project specific costs. Furthermore, it is the Township's policy to require the individual property owner to fully reimburse the Township for its Consultants' time and materials necessary to ensure that those projects benefiting the individual property owner comply with the Township Code.

Procedures.

The Township establishes fees from time to time by resolution to cover its cost to process various applications for those projects directly benefiting individual property owners ("Property Owners"). These application fees include applications for the following types of applications/permits: buildings, decks, demolition, driveways, pools, sheds, signs, subdivision and land development, zoning, grading, erosion and sedimentation control, and stormwater management.

In those instances where the Township requires or desires Consultant participation in reviewing the applications, the procedures for reimbursement are as follows:

1. The Property Owner is required to submit a completed Birmingham Township Consultant Fee Reimbursement Contract ("Contract") and any necessary application forms required for their project to the Township Secretary, along with the required permit fees and escrow amount. Applications will not be deemed complete or processed without the submission of a completed Contract and the requisite fees and escrow. A copy of the Contract is attached to this Policy and Procedures document.
2. The Township Secretary or her designee will review the submitted materials. If the application is deemed complete, the Secretary or her designee will establish an escrow account for the project and authorize the Consultants to begin work. A copy of the Contract will be placed in the project file with the application.
3. In most circumstances, each Consultant shall establish a separate project number for the purpose of invoicing. Consultant invoices shall be submitted monthly to the Township Secretary or her designee and include charges itemized by date and time, identifying the person performing the work, and sufficient detail on the work performed to support the billing.

4. Upon receipt, the Township Secretary or her designee will review the invoice(s). The Township Secretary or her designee will direct any questions regarding the invoice to the Consultant. Once the review of the invoice is completed by the Township Secretary or her designee, the invoice will be processed by the Township Secretary - which typically is done by applying escrow funds directly to the invoice and sending a copy of the invoice to the Property Owner for their records.
5. If there is any dispute by the Property Owner with regard to a Consultant invoice, such disputes shall be handled as provided for in the Municipalities Planning Code (the "MPC").
6. If escrow funds fall below \$500.00, the Township Secretary shall notify the Property Owner that additional funds are required to be submitted to the Township to fund the escrow account to the required level within fifteen (15) calendar days of the date of notification. In the event that there were insufficient funds in the escrow account to fully reimburse the Township for the paid Consultant invoice, the Property Owner shall be so notified of the requirement to reimburse the Township and to appropriately fund the escrow account.
7. Should the Property Owner fail to return full payment within the fifteen (15) day deadline and/or fund the escrow account to the required level, the Township Secretary shall issue a final letter advising the Property Owner that the processing of all Township applications and issuance of approvals/permits for the Project are suspended until the Property Owner meets his/her financial obligations to the Township.
8. Township approvals and permits will not be issued until all outstanding invoice(s) are paid in full. Interest as authorized by a fee resolution duly adopted by the Township may be charged for such unpaid invoices. If the Consultant invoice is being properly disputed by the Property Owner under the applicable provisions of the MPC, those provisions shall apply and control.