Village: Keep original and provide copies of both sides of form to requester at no charge, along with referral to Public Summary of FOIA Policy on Village website.

Village of Bear Lake
12376 Virginia St, P.O. Box 175
Bear Lake , MI 49614
231-970-2066

Detailed Cost Itemization
To be completed by FOIA Coordinator/Village Clerk.

FOIA Act Detailed Cost Itemization

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et.seq.

Date: _____ Prepared for Request Number: _____ Date Received: _____ By (√) : ____ Letter

Dated: _____ OR _____ Email* Email Dated: _____ If email went to junk/spam folder: Sent Date = _____

Recovered Date=_____

Request for (√): _____ Copy _____ Certified Copy _____ Record Inspection at Village _____ Subscription to record(s) issued for 6 months

Delivery Method (√): ____ Pick Up _____ Requester to Copy at Village Hall _____Mail to Address Below _____Email to Address Below

Requester Information:

Name:	**Phone:**	
Firm/Organization:	**Email:**	
Address		
City	**State**	**Zip**

The following costs were determined in compliance with Section 4 of the Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.234 according to the Village FOIA Policy

1. Labor Cost for Copying/Duplication This is the cost of labor directly associated with duplication of publication, including making paper copies and/or digital copies, or transferring digital public records to be given to the requester on non-paper physical media or through the Internet or other electronic means as stipulated by the requester. This shall not be more than the hourly wage of the Village's lowest paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in 15 minute increments as set by the Village Council; all partial increments must be rounded down. If the number of minutes is less than one increment, there is no charge. **Hourly Wage Charged**= $ _____/ **Hr OR Charge/15 Min Increment=** $_____ **OR** **Calculation of Wage with Fringe Benefit Cost/Hr and per 15 Minute Increment:** (Hourly Wage/Hr $_____) X (Fringe Benefit Percentage Multiplier(Up to 50% of Hourly Wage)) = $_____/**Total Rate/Hr** Total Rate/Hr ÷ 4 = **$ _____ Total Rate per 15 Minute Increment**	To calculate the # of increments, take the total estimated number of minutes to fulfill the request: _____ Divide by 15 minutes and round down. Enter total: _____ Increments	1.**Labor Cost =** **$_____**

2. Labor Cost to Locate This is the cost associated with the necessary searching for, locating and examining public records in conjunction with receiving and fulfilling a granted written request. This fee is only charged because failure to do so would result in unreasonably high costs to the Village that are excessive and beyond the normal or usual amount for those services compared to usual FOIA requests made to the Village. **The specific nature of the request causing the fee in this particular instance is :** This shall not be more than the hourly wage of the Village's lowest paid employee capable of locating and examining the public records in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in 15 minute increments as set by the Village Council; all partial increments must be rounded down. If the number of minutes is less than one increment, there is no charge. **Hourly Wage Charged**= $ _____/ Hr **OR Charge/15 Min Increment=** $_____ **OR** **Calculation of Wage with Fringe Benefit Cost/Hr and per 15 Minute Increment:** (Hourly Wage/Hr $_____) X (Fringe Benefit Percentage Multiplier(Up to 50% of Hourly Wage)) = $_____/**Total Rate/Hr** Total Rate/Hr ÷ 4 = **$ _____ Total Rate per 15 Minute Increment** **Overtime Rate/Hr** (Only if requester stipulated approval for overtime to on FOIA Request form. Overtime is not used to calculate the fringe benefit cost.)	To calculate the # of increments, take the total estimated number of minutes to fulfill the request: _____ Divide by 15 minutes and round down. Enter total: _____ Increments	2..**Labor Cost to Locate =** **$_____**
3. a. **Labor Cost for Separating Exempt from Non-Exempt Information (Redacting):** **(Only use this section if using a Village employee for task. If contracted person, use 3.b.)** This is the cost associated with the necessary review, directly associated with separating and deleting exempt from nonexempt information. The Village will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession. This fee is only charged because failure to do so would result in unreasonably high costs to the Village that are excessive and beyond the normal or usual amount for those services compared to usual FOIA requests made to the Village. **The specific nature of the request causing the fee in this particular instance is :**		

3.a. (continued) This shall not be more than the hourly wage of the Village's lowest paid employee capable of locating and examining the public records in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in 15 minute increments as set by the Village Council; all partial increments must be rounded down. If the number of minutes is less than one increment, there is no charge. **Hourly Wage Charged**= $ _____/ Hr **OR Charge/15 Min Increment=** $_____ **OR** **Calculation of Wage with Fringe Benefit Cost/Hr and per 15 Minute Increment:** (Hourly Wage/Hr $_____) X (Fringe Benefit Percentage Multiplier(Up to 50% of Hourly Wage)) = $_____/**Total Rate/Hr** Total Rate/Hr ÷ 4 = **$ _____ Total Rate per 15 Minute Increment** **Overtime Rate/Hr** (Only if requester stipulated approval for overtime to on FOIA Request form. Overtime is not used to calculate the fringe benefit cost.)	To calculate the # of increments, take the total estimated number of minutes to fulfill the request:_____ Divide by 15 minutes and round down. Enter total: _____ Increments	3.a.**Labor Cost =** **$_____**
3.b. Labor Cost for Separating Exempt from Non-Exempt Information (Redacting): **(Complete this section if using a contractor, such as an attorney. If using a Village employee, use section 3.a. instead.)** The Village will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession. As the Village does not employ a person capable of separating exempt from non-exempt information in this particular instance, as determined by the FOIA Coordinator and with the approval of the Village Council, this is the cost of labor of a contractor (i.e. outside attorney), including necessary review, directly associated with separating and deleting exempt information from nonexempt information. This shall not exceed an amount equal to 6 times the current state minimum hourly wage rate of $_____. **Name of Contracted Person or Firm: _____** **Contracted Rate per Hour: _____** Total Rate/Hr ÷ 4 = **$ _____ Total Rate per 15 Minute Increment** This fee is only charged because failure to do so would result in unreasonably high costs to the Village that are excessive and beyond the normal or usual amount for those services compared to usual FOIA requests made to the Village. **The specific nature of the request causing the fee in this particular instance is:**	To calculate the # of increments, take the total estimated number of minutes to fulfill the request:_____ Divide by 15 minutes and round down. Enter total: _____ Increments	**3.b. Labor Cost =** **$_____**

4. Copying/Duplication Cost Copying records may be charged if a copy of a public record is requested, or for the necessary copying of the record for inspection. For example copying/duplication may be required for redacting exempt information, to protect old and delicate original records, or because the original record is a digital file or database not available for public inspection. The cost of paper copies must be calculated as a total cost per sheet of paper. The fee cannot exceed 10 cents per sheet of paper for copies of public records made on 8.5"x 11" or 8.5"x 14" paper. The Village will use the most economical means available for making copies of public records , included using double-sided printing, if cost-saving and available. • Letter and Legal Size Paper (8.5"x 11" and/or 8.5"x 14") Single or Double-Sided = 10 cents per sheet • Other paper sizes single and double-sided = Actual cost/sheet • Non-paper Physical Digital Media Item(s) (√): Disc____ Tape____ Drive ____ Other Digital Medium _____ Cost per Item: $_____ # of Items: _____	Number of sheets **X** $. 10/sheet **=** Number of sheets **X** $._____/sheet **=** Number of Items **X** Actual Cost/Item =	**$** _____ **$** _____ **$** _____ **4. Total Copy Cost** **$** _____
5. Mailing Cost The Village charges the actual cost of mailing for sending records in a reasonably economical and justifiable manner. Delivery confirmation is not required but the Village may opt to charge for the least expensive form of delivery confirmation and the actual cost will be charged. Expedited shipping and/or insurance is not used unless specially asked for by the requester and the actual cost will be charged.***** • Actual Cost of Envelope/Packaging = • Actual Cost of Postage (Quantity): _____ Stamps **X** $_____/Stamp **=** _____ Pounds **X** $ _____/Lb. = _____ Packages **X** $ _____/Package= Actual Cost of Delivery Confirmation = Expedited Shipping and/or Insurance***** =		Total Cost/Item: $ _____ Stamps $ _____ Mailing $ _____ Package $ _____ $ _____ **5. Total Mailing Cost** **$ _____**
6.a. Copying/Duplicating Costs for Records Already on Village Website If the public body has included the website address for a record in its written response to the requester, and the requester thereafter stipulates that the public record(s) be provided to him/her in a paper format or on non-paper physical digital media, the Village will provide the public records in the requested format and may charge paper and/or the non-paper physical digital media item costs to provide the requested records in the format requested. **FOIA Coordinator Confirmation (Date Confirmed)**: _____ The requester was informed that the requested records are available on the Village website and stipulated that the requested public record(s) be provided to him/her in a paper format or on non-paper physical digital media.		

6.a. (continued)

The fee cannot exceed 10 cents per sheet of paper for copies of public records made on 8.5”x 11” or 8.5”x 14” paper. The Village will use the most economical means available for making copies of public records , included using double-sided printing, if cost-saving and available.

- Letter and Legal Size Paper (8.5”x 11” and/or 8.5”x 14”) Single or Double-Sided = 10 cents per sheet

- Other paper sizes single and double-sided = Actual cost/sheet

- Non-paper Physical Digital Media Item(s) (√):
  Disc____ Tape____ Drive ____ Other Digital Medium _____

  Cost per Item: $_____ # of Items: _____

Number of sheets **X** $. 10/sheet **=**

Number of sheets **X** $._____/sheet **=**

Number of Items **X** Actual Cost/Item =

$ _____

$ _____

$ _____

6.a. Total Web Copying/Duplicating Costs

$ _____

6.b. Labor Cost for Copying/Duplicating Costs for Records Already on Village Website

This shall not be more than the hourly wage of the Village’s lowest paid employee capable of locating and examining the public records in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in 15 minute increments as set by the Village Council; all partial increments must be rounded down. If the number of minutes is less than one increment, there is no charge.

Hourly Wage Charged= $ _____/ Hr **OR Charge/15 Min Increment=** $_____

OR

Calculation of Wage with Fringe Benefit Cost/Hr and per 15 Minute Increment:

(Hourly Wage/Hr $_____) X (Fringe Benefit Percentage Multiplier(Up to 50% of Hourly Wage)) = $_____/**Total Rate/Hr**

Total Rate/Hr ÷ 4 = **$ _____ Total Rate per 15 Minute Increment**

Overtime Rate/Hr (Only if requester stipulated approval for overtime to on FOIA Request form. Overtime is not used to calculate the fringe benefit cost.)

To calculate the # of increments, take the total estimated number of minutes to fulfill the request: _____ Divide by 15 minutes and round down.
Enter total:

_____ Increments

6.b. Web Labor Cost =

$_____

6.c. Mailing Cost for Records Already on Village Website

The Village charges the actual cost of mailing for sending records in a reasonably economical and justifiable manner.
Delivery confirmation is not required but the Village may opt to charge for the least expensive form of delivery confirmation and the actual cost will be charged.
Expedited shipping and/or insurance is not used unless specially asked for by the requester and the actual cost will be charged.*****

6.c. (continued)

- Actual Cost of Envelope/Packaging = $ _____
- Actual Cost of Postage (Quantity):

_____ Stamps **X** $_____/Stamp **=**

_____ Pounds **X** $_____/Pound =

_____ Packages **X** $ _____/Package=

Actual Cost of Delivery Confirmation =

Expedited Shipping and/or Insurance***** =

Total Cost/Item:

$ _____Packaging

$ _____ Stamps

$ _____ Mailing/wt.

$ _____ Package

$ _____

$ _____

6.c. Total Mailing Cost

$ _____

7. ESTIMATED SUBTOTAL OF FEES BEFORE WAIVERS, DISCOUNTS AND/OR DEPOSITS

Estimated Timeframe to Provide Records (Provide Date): _____
The estimated timeframe is nonbinding upon the Village, but the Village is providing this good faith estimate. Providing an estimated timeframe does not relieve the Village from any of the requirements of Michigan Freedom of Information Act, Public Act 442 of 1976.
(FOIA Coordinator: Insert totals from each prior section in column below and tally for subtotal of fees)

1. Labor Cost for Copying	**$**
2. Labor Cost to Locate	**$**
3.a. Labor Cost to Redact	**$**
3.b. Contract Labor Cost (Redact)	**$**
4. Copying/Duplication Cost	**$**
5. Mailing Cost	**$**
6.a. Copying/Duplication from Website	**$**
6.b. Labor Cost Copying from Website	**$**
6.c. Mailing Cost – Website Records	**$**
SUB-TOTAL FEES:	**$_____**

Waiver: Public Interest Waiver
A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the Village determines that a waiver or reduction of the fee is in the public interest because it will benefit the general public.

FOIA Coordinator (√): ☐ No fee waiver ☐ All fees waived ☐ Fee reduced by _____%

Subtotal: Fees after Waiver = **$_____**

Discount: Indigent Status (FOIA Coordinator to verify and complete section) A public record search must be made and a copy of a public record must be furnished without charge for the first $20 of the fee for each request by an individual who is entitles to information under this Act and who: ☐ Submits an Affidavit stating that the individual is indigent and receiving specific public assistance, OR ☐ If not receiving public assistance, stating facts showing inability to pay the cost because of indigence. If requester is ineligible for the discount, the Village shall inform the requester of the specific reason for ineligibility in their written response to the requester. An individual is ineligible for this fee reduction if any of the following apply: i. The individual has previously received discounted copies of public records from the Village twice during the calendar year, OR ii. The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. The Village may require a statement by the requester in the Affidavit that the request is not being made in conjunction with outside parties in exchange for payment or remuneration. **FOIA Coordinator (√):** ☐ **Qualifies for $20 indigent discount** ☐ **Doesn't qualify for $20 indigent discount. Provide brief reason why not qualified below:**	**Subtotal:** **Fee after $20 Indigent Discount =**	**$_____**
Discount: Nonprofit (FOIA Coordinator to verify and complete section) A public record search must be made and a copy of a public record must be furnished without charge for the first $20 of the fee for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the federal Protection and Advocacy for Individuals with Mental Illness Act, if the required meets ALL of the following requirements: i. Is made directly on behalf of the organization or its clients. ii. Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Michigan Mental Health Code, 1974 PA 258, MCL 330.1931 iii. Is accompanied by documentation of its designation by the state, if requested by the Village. **FOIA Coordinator (√):** ☐ **Qualifies for $20 nonprofit discount** ☐ **Doesn't qualify for $20 nonprofit discount. Provide brief reason why not qualified below:**	**Subtotal:** **Fee after $20 Nonprofit Discount =**	**$_____**
Deposit if Required by Village: (FOIA Coordinator to verify and complete section) The Village may require a good-faith deposit before providing the public records to the requester if the entire fee estimate or charge authorized under this section exceeds $50, based on a good faith calculation of the total fee. The deposit cannot exceed half of the total estimated fee. **$ or % Deposit Required =**	**$_____**	**Date Paid:** **_____** **Balance Due:** **$ _____**

Increased Deposit Due to Previous FOIA Fees Not Paid in Full

After the Village has granted and fulfilled a written request from an individual under this Act, if the Village has not been paid in full the total amount of fees for the copies of public records that the Village has made available to the individual as a result of that written request, the Village may require an increased estimated fee deposit up to 100% of the estimated fee before it begins a full public record for any subsequent written request from that individual if ALL of the following apply:

Section 1:

1. The final fee for the prior written request was not more than 105% of the estimated fee.
2. The public records made available contained the information being sought in the prior written request and are still in the Village's possession.
3. The public records were made available to the individual, subject to payment, within the best effort estimated timeframe given for the previous request.
4. Ninety (90) days have passed since the Village notified the individual in writing that the public records were available for pick up or mailing.
5. The individual is unable to show proof of prior payment to the Village.
6. The Village calculated a Detailed Cost Itemization, as required by MCL 15.234, which is the basis for the current written request's increased estimated fee deposit.

The Village can no longer require an increased estimated fee deposit from an individual if ANY of the following apply:

Section 2:

1. The individual is able to show proof of prior payment to the Village, OR
2. The Village is subsequently paid in full for the applicable prior written request, OR
3. A year, 365 days, have passed since the individual made the written request for which full payment was not remitted to the Village.

FOIA Coordinator (√): ☐ **Requester qualifies for increased deposit (circle applicable reasons in first section above)**

☐ **Requester doesn't qualify for increased deposit (circle applicable reasons in section 2 above)**

Date Paid if Increased Deposit Due:

_____

Amount Paid:

$ _____

Balance Due:

$ _____

Late Response Labor Cost Reduction

If the Village does not respond to a written request in a timely manner as required by MCL 15.235 (2), the Village must do the following:

- Reduce the charges for labor costs otherwise permitted by 5% for each day the Village exceeds the time permitted for a response to the request, with a maximum 50% reduction, if EITHER of the following applies:
  - The late response was willful and intentional, OR
  - The written request included language that conveyed a request for information within the first 250 words of the body of the letter, electronic mail, or electronic mail attachment, or specifically included the words, characters or abbreviations for "freedom of information", "information", "FOIA", "copy", or a recognizable misspelling of such, or appropriate legal code reference for this Act, on the front page of the envelope, or in the subject line of an electronic mail or letter.

Number of Business Days Exceeding Response Time According to Act= _____

Reduction Calculation:

_____ # of Business Days Late X 5% =

_____ % Discount

Subtotal ($) shown in Box 7 above less any $20 waiver(s) eligible for x % Discount for Late Response =

TOTAL DUE =

$_____

To be completed by FOIA Coordinator/Clerk

Completed By: _____ Date: _____

Notification of Requester of Cost Itemization:

On (date) _____ the requester was Informed of the Village decision by (√) ____Phone OR ____Email AND a copy of all pages of this form was emailed, provided or mailed to requester on (date) _____ y FOIA Coordinator.

If you have questions regarding this form, please contact the Village FOIA Coordinator/Village Clerk by email at bearlakeclerk@gmail.com or call 231-970-2066.

jwv 962023