

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2025-010
OF THE
BALDWIN COUNTY COMMISSION**

**A RESOLUTION TO APPROVE THE USE OF AMERICAN RESCUE PLAN ACT FUNDS FOR THE
COUNTY ROAD 65 DRAINAGE IMPROVEMENT WATER INFRASTRUCTURE PROJECT**

WHEREAS, Baldwin County, Alabama, (the “County”) has received American Rescue Plan Act State and Local Fiscal Recovery Funds (“ARPA funds”) and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, ARPA funds may be used to cover the cost of expenses for necessary investments in water infrastructure (“ARPA infrastructure projects”); and

WHEREAS, the Baldwin County Commission (the “Commission”), with assistance from an independent consultant, has identified an eligible ARPA infrastructure project to serve the County’s citizens, to wit: the County Road 65 drainage improvement project in Baldwin County, Alabama (the “Project”); and

WHEREAS, the Commission has determined that the project is a necessary, eligible, and reasonable use of these funds.

WHEREAS, on May 21, 2024, the Commission adopted RESOLUTION #2024-117 allocating up to \$754,920.21 of its ARPA funds to cover part or all of the eligible costs for the construction of the County Road 65 drainage improvement project, to include the improvement of the stormwater system through approximately 1.52 miles of road paving and 16,000 feet of stormwater drainage improvements, to provide better flow, reduce upstream flooding, stabilize the road and ditches, and prevent erosion and downstream sedimentation.

WHEREAS, following the issuance and Advertisement for Bids for the Project, in which sealed bids were publicly opened, Mobile Asphalt Company, LLC’s bid was evaluated by Baldwin County Highway Department and determined by the COMMISSION to represent the lowest responsive and responsible bid thereto; and

WHEREAS, the Commission certifies that the bid was issued, advertised, and is awarded consistent with title 39 of the Code of Alabama (1975); and

WHEREAS, the Commission has determined that engaging Mobile Asphalt Company, LLC to perform general contractor services for the Project is a necessary, reasonable, and appropriate expenditure of ARPA funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION AS FOLLOWS:

1) The Commission hereby allocates up to \$1,019,403.12 to cover part or all of the eligible costs for the construction of the County Road 65 drainage improvement project, to include the improvement of the stormwater system through approximately 1.52 miles of road paving and 16,000 feet of stormwater drainage improvements, to provide better flow, reduce upstream flooding, stabilize the road and ditches, and prevent erosion and downstream sedimentation. Specifically, these funds are to be allocated as follows:

- a. Up to \$987,399.02, including the initial allocation from Resolution #2024-117 and an additional \$232,478.81, to be paid out of the County's ARPA funds; and
- b. \$32,004.10 to be paid by other legally available funds of the County.

2) The Commission hereby authorizes the Commission Chair to enter into the Contract for Construction Services (the "Contract") with Mobile Asphalt Company, LLC, attached to this Resolution as Addendum 1, for the provision of construction services for the Project.

3) The County Administrator is hereby authorized to expend the funds described herein to cover costs that are reasonably necessary for the completion of the project and subject to the limitations set forth herein.

4) The expenditure of ARPA funds for the purposes described herein shall be further contingent on the continued appropriation and availability of ARPA funds for this purpose and in no event shall be used for any expenses not obligated by December 31, 2024, and expended by December 31, 2026.

IN WITNESS WHEREOF, the Baldwin County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 15th day of October 2024.

Billie Jo Underwood, Chairman
Baldwin County Commission

ATTEST:

Roger H. Rendleman
County Administrator