

American Rescue Plan Act (ARPA) Update

This update accompanies the revised ACCA/IAC Project Draft Uses Work Page as provided by ACCA/IAC (see attached). Various items require mention and/or discussion.

Enumerated Uses

WATER/SEWER/STORMWATER

Boros Road Bowl: Right-of-way acquisition complete. Project bidding documents sent to IAC on 02/15/23 for Review. Reviewed and approved by IAC 03/13/2023. Project has been approved for advertisement for Bid 04/04/2023

Stormwater Projects: Eligible Projects under consideration:

Commission Approved the following projects for Design and Bid prep on 12/20/2022:

- Turberville Lane Bank Stabilization, Spanish Fort, AL (\$700,734) Project specifications and contract documents sent to IAC for review 01/23/2023 and approved on 02/08/2023. Two Bids received 04/04/2023 with a low bid of \$934,484.97. Awarded Bid and increased Enumerated Uses allocation by \$233,750.97 to cover the bid amount. Amount reallocated from potential ventilation projects allocation pool 04/18/2023.

- Surfside Shores Drainage Improvements, Gulf Shores, AL (\$2,763,273)

Highway Department working on Right-of-Way and Cost Estimates

- Red Gully Streambank Stabilization, Daphne, AL (\$2,500,000)
- Faircloth Road Drainage Improvement, Lillian, AL (\$1,500,000)
- CR 28, Magnolia Springs, AL (\$750,000)

Silverhill Water Tower Project:

Town of Silverhill has requested \$1Million for an approximately \$2 Million new water tank to address rapid growth and strain on current system. The ARPA SLFRF Water and Sewer Infrastructure Funding Request has been sent to IAC for eligibility determination by LaBella. Commission agreed to move forward with a Pre-Award Resolution and the Pre-Award process if LaBella deems the project eligible at 12/19/2022 work session. LaBella provided a Project Proposal Form Evaluation on 01/14/2023 concluding the project is eligible under the State and Local Fiscal Recovery Funds (SLFRF) expenditure category of 5.14 Drinking Water, Storage. A Pre-Award Letter approved at 02/07/23 Commission Meeting. Pre-Award Letter and Pre-Award Packet sent 02/08/2023. Gathering information for initial Subrecipient Draft Agreements. Agreement questionnaires sent 02/27/2023. Returned by Town 03/03/2023. Initial Draft Subrecipient Agreements Completed and under IAC Review 03/09/2023. Draft Subrecipient Agreement complete and sent to County for review 04/17/2023.

Summerdale Water Tower Project:

Commissioner Ball requested that Summerdale be considered for a similar project like Silverhill for Summerdale at the 12/19/2022 work session. The ARPA SLFRF Water and Sewer Infrastructure Funding Request has been sent to IAC for eligibility determination by LaBella. Commission agreed to move forward with a Pre-Award Resolution and the Pre-Award process if LaBella deems the project eligible at 01/04/2022 work session. LaBella provided a Project Proposal Form Evaluation on 01/14/2023 concluding the project is eligible under the SLFRF expenditure category of 5.14 Drinking Water, Storage; but did recommend additional documentation on the current tank nearing capacity or data on the 24-hour reserve of potable water. A Pre-Award Letter approved at 02/07/23 Commission Meeting. Pre-Award Letter and Pre-Award Packet sent 02/08/2023. Gathering information for initial Subrecipient Draft Agreements. Agreement questionnaires sent 02/27/2023. Returned by Town 03/03/2023. Initial Draft Subrecipient Agreements completed and under IAC Review 03/09/2023. Draft Subrecipient Agreement complete and sent to County for review 04/17/2023.

City of Loxley Water System Improvement Project:

The City of Loxley is requesting consideration in assistance with public infrastructure improvements to the water system. The City is in the process of engineering design of

a new groundwater production well and a new water treatment facility, with a new elevated water storage tank and additional groundwater production well planned in a future phase. The City has committed its own ARPA funds to the project and has submitted the full project to ADEM for its Drinking Water State Revolving Fund loan program. However, currently, the project is still underfunded. The city requests the County's participation at whatever level possible. The benefits to Baldwin County and its citizens to encourage the growth of the Loxley industrial corridor and the supporting services is worth the County's partnership with the City of Loxley. Project Deemed Eligible by IAC.

Commission indicated to move forward 03/20/2023. Pre-Award Letter and Packet approved by the Commission at 04/04/2023 Meeting and sent to the City 04/06/2023. Pre-Award Questionnaire completed and returned by City. Subrecipient Risk Assessment completed. Gathering additional information to start drafting agreement 4/23/2023.

PREMIUM PAY

Payments ended December 2022 with a total of \$5,230,504.72 paid out.

VENTILATION PROJECTS

Bay Minette Probate Office: Commission approved an allocation of up to \$947,307 per Resolution 2022-170 on 09/20/2022. A professional services agreement with LaBella Associates further allocated \$70,000 of this amount at the 10/18/22 Commission Meeting per Resolution 2023-12. LaBella submitted the following tentative schedule for design/bidding/construction:

11/10/2022 - Site Visit

12/02/2022 - Existing Conditions Report

02/03/2023 - Construction Documents

March 2023 - Issue for bid

September 2023 - Construction Completion

Fairhope Courthouse: Assessment report from JMR+H Architecture, PC was received on December 5, 2022. The report is currently pending with JMR+H Architecture, PC. The report identified \$669,000 of improvements in the replacement of HVAC systems operating beyond the designed useful life and in other significant air quality enhancements. In addition, the assessment identified approximately \$56,000.00 in touchless restroom upgrades. These various items are eligible under the enumerated uses. The Commission agrees to consider architectural services for HVAC project at 12/19/2022 work session. Design proposal and agreement received from JMR&H for review. JMR+H agreed to agreement revisions 04/04/2023. Agreement approved by Commission at 04/18/2023 Meeting.

Board of Education: Assessment completed in June 2022, with future action pending further discussions with the Board to determine the best course of action. Since the December 5th update, one of the HVAC units failed at the BOE building. Building maintenance is looking into a quick fix as carbon monoxide can intrude into the building. On 12/12/22, a request to submit a price quote from JMR&H, a prequalified architectural firm by IAC, was sent for design and project services based on the June 2022 assessment. On 12/19/22, JMR&H submitted a proposal of 8.14% of construction discounted from 9.25% of the state fee schedule. Project to Move Forward 01/04/2023. Design proposal and agreement received from JMR&H for review. JMR+H agreed to agreement revisions 4/04/2023. Agreement approved by Commission at 4/18/2023 Meeting.

BRATS Bay Minette Transit Hub:

Survey completed by Building Maintenance and submitted to IAC for Assessment. Site Assessment with JMR&H was completed on 12/30/2022. Site Assessment received 12/30/2022. Estimate of qualifying improvements is \$45,300.00. Project to move forward per Commission on 02/07/2023

Bay Minette Courthouse:

Survey completed by Building Maintenance and submitted to ICA for Assessment 01/18/2023. Currently awaiting Site Inspection Date by JMR&H.

Central Annex:

Survey completed by Building Maintenance and submitted to ICA for Assessment 01/24/2023.

Currently awaiting Site Inspection Date by JMR&H.

Foley Courthouse:

Survey completed by Building Maintenance and submitted to ICA for Assessment 02/27/2023. Currently awaiting Site Inspection Date by JMR&H.

Additional County Owned Facilities

Commission can identify more County-owned facilities with needed ventilation projects to be assessed for ARPA eligibility. IACs only requirement is the County only submit three locations at a time for review and consideration. Commission agreed to submit three more locations for assessment by IAC at the 12/19/2022 work session. Building Maintenance requested to fill out initial surveys for locations 12/22/2022. \$4M Placeholder for a starting point of Allocation.

List of Other Buildings (status shown):

1. Health Department Robertsdale (on hold)
2. Revenue Building Bay Minette (on hold)
3. Administration Building Bay Minette (on hold)
4. DHR Building Robertsdale – currently owned by Public Building Authority (on hold)

OTHER COVID-19 CONSTRUCTION/RENOVATION

Magnolia Landfill Recycle Facility (Touchless Components): RFP release on 11/16/22 and received 12/20/22. Three responses received. RFP was design/build and not design only, which raises some issues with the procurement process. Original RFP responses rejected and authorized to restart the procurement process 01/17/2023. Revise Procurement Process under Public Works. Two Bids from pre-qualified vendors were received on March 3, 2023. Green Machine's base bid of \$2,299,675 along with an optical option \$704,140 and a robotic option \$652,990 was the lowest, responsive bid. Bid Awarded by Commission at 03/07/2023 Meeting for \$3,656,805. The specific funding of the entire project still needs additional review for Enumerated Uses Eligibility Determination. A Change Order Request in the amount of \$181,953.00 has been submitted to the County which will increase fiber recovery before the container-sort line, as well as enhancing pick rates and cleanliness on the container processing line. 04/17/2023

Open-Air Public Atrium for Governmental Services: ACCA/IAC has provided an assessment report from Scout which provides two separate options which can be combined or done separately: Option #1 - Estimated cost (**Atrium Canopy**) is \$870,955 Option #2 - Estimated cost (**Atrium Canopy with Enclosing Side Ramps**) is \$948,830. Staff requested ACCA/IAC prepare an analysis of the proposed alternatives on 10/12/22 to determine 1) the need to be addressed, 2) the capital expenditure appropriate to meet the need and 3) a comparison of capital expenditure to the cost of alternative expenditures that would address this need. Updated cost options received from Scout. Funding set aside for project 01/04/2023. PH&J requested to provide design cost proposal 01/10/2023. Design proposal and agreement received from PH&J for review. PH&J agreement reviewed by IAC sent to County 03/22/2023. Agreement Revisions by County Legal sent to PH&J 04/03/2023. Finalizing revisions 04/21/2023.

Touchless Restroom Upgrades: For buildings being assessed for ventilation / HVAC improvements, these upgrades have been or will be incorporated. For all other buildings, the Building Maintenance Department has identified those facilities shared between staff and the public for prioritization. Staff has met with an architect (as prequalified through ACCA/IAC for Architectural/Engineering Services associated with renovations to courthouses/administrative buildings) to discuss the need for compliance with the Americans with Disabilities Act as well as ARPA public health-specific requirements. The Commission previously allocated \$88,505 for equipment only; however, this was based on the purchase of equipment only, utilizing staff labor to install. Equipment costs have likely increased since the initial estimate and the need to utilize professional design services and contract labor will require additional funds as well. Feasibility Study Agreement for Design & Scope Approved for \$14,200 with PH&J at 12/20/2022 Meeting.

Mental Health Jail Renovations: ACCA/IAC has confirmed the use of revenue replacement funds for a feasibility study to evaluate a possible mental health wing. Specifically, an architect is needed to fully evaluate various options/costs/disability accessibility. Staff initially met with PH&J Architects, Inc. (architect for the ongoing jail project) on 10/20/22 to discuss undertaking a feasibility study of the old jail, since the new jail is under construction

and was not procured using federal bidding and contracting requirements. PH&J subsequently met with County staff and the Sheriff's office on 10/26/22 to obtain additional information for the proposed scope of work. Feasibility Study Agreement for Design & Scope Approved for \$5,000 with PH&J at 12/20/2022 Meeting. \$1M Placeholder for a starting point of allocation. Site visit completed by PH&J. Feasibility Report being drafted 04/26/2023.

Partitions in County Buildings: Staff has consulted with ACCA/IAC regarding projects for seven different departments at various locations. Due to difficulties securing quotes and avoiding possible issues under State procurement (dividing like items to avoid formal bidding), staff has contacted ACCA/IAC's prequalified vendors for the cost proposal of hiring an architect to design/bid/oversee construction. Staff have received the design cost proposal from PH&J for 6.5% of construction costs. Architect Agreement for Design approved 01/17/23.

The design cost will not be known until the bids are received for the following four County departments:

- Highway Department (Robertsdale)
- Revenue Commission Department (Robertsdale, Foley, and Fairhope)
- Archives (Bay Minette)
- Juvenile Detention Center (Bay Minette)

Commission approved the following facilities on November 1, 2022:

- COA (Vaughn SAIL Center) Alabama Correctional Industries (ACI) Cost: \$1,133.00 - Incomplete
- Building Inspection Department (Robertsdale) One Cut Glass, LLC \$49,327.00 - Completed

AID TO NONPROFITS

PATH-type and Outpatient Services Team: ACCA/IAC and County staff have spoken with Beth Biggs, Family Promise Director, regarding the use of ARPA funds for a mental health crisis response team (comprised of AltaPointe professional staff) for Baldwin County, like the PATH Team in Mobile County. This team would serve residents by responding to individuals experiencing a mental health crisis for onsite evaluations and referrals to emergency in-patient care (as appropriate) in lieu of an incarceration setting. The annual \$350k requested funding would be used to hire four additional professional staff members who would work rotating 12-hour shifts. Funding for this additional staffing will enable the provision of outpatient services during extended hours during the week and on all weekends, with 24-hour access to on-call staff. This additional staffing will also free up resources needed for responses with law enforcement in the event of a mental health, substance use, or homelessness crisis, as well as mental health training for law enforcement personnel. Finally, the additional staffing will allow AltaPointe to begin providing case management services for individuals experiencing homelessness in Baldwin County that are like the case management services provided by AltaPointe's PATH team in Mobile County. AltaPointe expressed concerns about staffing up this team temporarily using ARPA funds, if the County would not be willing to continue to fund the program after December 31, 2024. At the 12/05/22 meeting, the Commission requested representatives from AltaPointe be invited to attend the 12/19/22 work session to further discuss this request. Traci Jones, CFO for AltaPointe Health responded 12/07/22 to the invitation indicating that team members will be present at the 12/19/22 meeting to discuss the program. After Altapointe answered questions and committed to finding resources for beyond the first two ARPA years, the Commission agreed to move forward with a funding agreement with ARPA funds for the PATH Program at the 12/19/22 work session. Conference Call with IAC and AltaPointe for discussion of measurements and milestones for program to incorporate into an agreement to determine meeting of goals and level of success on 01/05/2023. Pre-Award Letter Approved by Commission and sent with Pre-Award Packet on 02/02/2023. Agreement and Resolution ready for Commission action for the 04/04/2023 meeting in the amount of \$695,346. Agreement & Resolution Approved by the Commission 04/04/2023.

Nonprofit Applications: County staff sent the applications to the following requested nonprofits on 09/28/22 and a follow-up email was sent on 10/31/22: **Child Advocacy Center, Prodissee Pantry, Feeding the Gulf Coast, Shoulder Drug & Alcohol, The Landing, Dream Center, Family Promise, and Historic Blakely Authority (Revenue Replacement only).** An application was forwarded to AltaPointe on 10/24/22 (also see below). Staff received the following applications that are currently under review by IAC:

Based on Initial Review and Discussion at 01/04/2023 work session

- Child Advocacy Center – Overall financials supported a COVID-19 financial hardship. Resolution for Non-profit Award Policies and Resolution for Pre-Award approved by the Commission at 02/24/2023 meeting. Letter of Conditional Award Executed 02/28/2023. Completed
- AltaPointe – The overall financials did support a COVID-19 financial hardship; however, the Commission is proceeding with the AltaPointe PATH Program so this \$955k request is not moving forward. The entity received the ineligible notice via email on 02/09/2023.
- Family Promise of Baldwin County – Overall Financials not supporting financial hardship. Can consider support of services as a Subrecipient. Not moving forward with additional consideration. The entity received the ineligible notice via email on 02/09/2023.
- Prodissee Pantry– Overall Financials not supporting financial hardship. Can consider support of services as a Subrecipient. Not moving forward with additional consideration. The entity received the ineligible notice via email on 02/09/2023.
- Feeding the Gulf Coast– Overall Financials not supporting financial hardship. Can consider support of services as a Subrecipient. Not moving forward with additional consideration. The entity received the ineligible notice via email on 02/09/2023.
- The Dream Center– Entity did not operate prior to the start of pandemic, so basically, not eligible for financial hardship. Can consider support of services as a Subrecipient. Not moving forward with additional consideration. The entity received the ineligible notice via email on 02/09/2023.

COVID-19 Mitigation/Healthcare

Self-Funded Insurance Costs: Ongoing

COVID-19 Leave: Completed

GOVERNMENT RESILIENCY

Tyler Technologies: Completed

Electronic Document Management System: Funds set aside for now Additional Information and data needed for further consideration 01/04/2023.

ADMINISTRATIVE COSTS

Ongoing

HOUSEHOLDS & COMMUNITIES

Baldwin Family Village Foundation: Baldwin Family Village Foundation has purchased and renovated a facility in Fairhope and plans to provide transitional housing (i.e., temporary housing with supportive services for homeless people) at this location. The Commission has preliminarily indicated that up to \$500,000 could be provided, contingent upon a determination of ARPA eligibility. Basically, Policies of the Family Village makes the Project Ineligible for ARPA Funding. Legal Counsel concluded that a female-only head-of-household policy at Baldwin Family Village would preclude the county's allocating ARPA funding to that project.

BCC DEPARTMENT FUNDING REQUESTS

BRATS Pre-Pandemic Staffing Levels: In the following outreach to all County department heads, a request was made for the evaluation of certain projects under ARPA. BRATS requested ARPA funding to provide transit driver staffing to pre-pandemic levels. ACCA/IAC has reviewed and advised that "real" ARPA funds can be used to hire or rehire employees for the same budgeted positions that existed on 01/27/2020, but that were unfilled or eliminated as of 03/03/2021. Additional information is needed to determine the number of positions and potential costs. At the 12/05/2022 meeting, Commission requested staff calculate the pre-pandemic staffing levels and bring it back before them.

Juvenile Detention Center Mental Health Cells: JDC has requested ARPA funds for two padded cells. Due to Americans with Disabilities Act (ADA) requirements and the fact that

the estimated cost is over the Public Works bid threshold of \$50K, the Commission authorized staff to request a cost proposal for a feasibility study through ACCA/IAC's prequalified Architectural/Engineering vendors. Feasibility Study Agreement for Design & Scope approved with PH&J at the 12/20/2022 meeting in the amount of \$1,500. Site visit completed by PH&J. Feasibility Report being drafted 04/26/2023.

Revenue Replacement Funds

Old Vaughn School Renovations for County Facility for Multi-use: Capital improvements necessary to provide a vaccination site would qualify for "real ARPA" funding; however, a justification would be needed to document the costs and that the proposed work is reasonably related and proportional to the impact/harm to be addressed. This would include documenting that there is no alternative facility or another suitable solution that can be implemented at a more reasonable cost. County staff submitted justification to IAC on 10/11/2022 regarding the lack of an alternate facility suitable for a mass vaccination site due to the current ownership, square footage to properly social distance, and the risk of dispersing COVID-19 or other viruses in facilities that host senior citizen events. ACCA/IAC has advised that further evaluation is needed and (upon consultation with County staff) has requested that Scout Program Management assess this site and alternatives for budgeting and planning purposes. Scout conducted an on-site evaluation on 11/21/2022. Cost estimate of \$1,385,465 received from Scout 12/28/2022. With challenges meeting Enumerated Uses requirements, a focus shift to consider as County Facility for Multi-Use. Moved to Revenue Replacement 01/04/2023. Currently, awaiting Deed transfer from Board of Education.

Magnolia Landfill Recycle Facility Design: Ongoing. Added \$1,500,000 for HVAC/Ventilation at 01/04/2023 work session. Request to use another \$416,000 for facility design cost 04/13/2023. In addition, purchase of baler in the amount of \$569,305.94. 04/19/2023 Baler not eligible for Enumerated Uses. Consider increasing allocation and/or use from \$1.5 M already allocated.

Lexipol Law Enforcement Training: Resolution Allocating Funds for Use approved 12/20/2022. Completed 01/24/2023.

Corte Road Extension: Need to discuss use of approximately \$3M in revenue replacement funds for this proposed project. Likely, the project would be considered under the new authorized uses by Congress. Treasury Guidance due first part of March. County Engineer indicated at 03/20/23 meeting that he will provide the Commission with an update regarding the Corte Road project timeline in a few weeks to determine feasibility of use of funds for the project.

Courthouse Security: On behalf of ACCA/IAC, Scout Program Management conducted an on-site inspection at the courthouse and met with County staff to discuss the parameters of the potential project. The cost proposal from the assessment is \$589,550. On 12/05/2022, Commission indicated to move forward with the project. PH&J submitted a Design Proposal of 9.625% along with cost estimator fee of \$4,500 for total estimate of \$53,843.

Gateway Initiative: ACCA/IAC staff, along with County staff, participated in a call with Ed Bushaw, Executive Director of the South Baldwin Workforce Development Authority on 09/30/2022 regarding a training facility for early childhood development, a transportation hub, and subsidized workforce housing for those enrolled in hospitality and education programs. The Authority requested approximately \$270,000 for the project master plan and approximately \$30,000 for the economic impact study. On 10/31/2022, Commission requested the Gateway Initiative funding be held off until more is known about the City of Foley's property donation. Representatives from the City of Orange Beach, the Gulf Shores, Orange Beach Tourism (CVB), the City of Foley, and the Gateway Initiative were in attendance at the 12/19/2022 work session. The Commission chose to move forward the steps necessary to fund the Gateway Initiative request. The Notice for Advertising under Amendment 772 for Economic Development was completed in January. Resolution and Agreement approved on 02/07/2023; and the agreement was executed on 02/15/2023.

Baldwin Mega Site Industrial Park Southern Entrance Improvements: A time sensitive request to utilize \$1,000,000 of the County's ARPA revenue replacement funds for

construction of a south access road into the Novelis development. The funds shall be used to cover the County's internal cost for the construction of the road by the Baldwin County Highway Maintenance staff. The funds are also to cover the cost of materials and other services related to the project, provided that these materials and services are acquired per applicable procurement requirements. Resolution allocating funds for use approved on 12/20/2022.

Revenue Commissioner Office Security Measures - Requested consideration for swipe card access for all exterior doors for our Bay Minette office (excluding main entrance) and all exterior doors in our Robertsdale Appraisal office (old 911). Also, exterior security cameras for the appraisal office. They are estimating \$30k will cover it. Email request 01/04/2023. Need more information for eligibility, cost, etc. Vendor quotes being obtained 04/26/2023.

Infirmiry Health Staff Button Badges - Eastern Shore Health Care Authority requested \$317,400 for an ID Badge Security System. Additional information to be provided by Infirmiry Health and IAC reviewing eligibility questions as an entity. Request at 01/04/2023 work session. Commission cannot appropriate to Infirmiry Health; however, an arrangement can be worked through a Health Care Authority. Resolution approved on 02/07/2023 agenda conditionally pre-awarding to the Eastern Shore Health Care Authority for use in health care facilities located within the geographical boundaries of Baldwin County, Alabama. Final Agreement sent by IAC to County for review 03/09/2023. On 05/02/2023 Agenda for Commission approval.

AID TO NONPROFITS

The Historic Blakeley State Authority: Completed

Cleanstrike Foggers: Completed

Motorola Equipment and Additional Bandwidth: Completed

OTHER ARPA MATTERS

Lehman Road: Upon recommendation of staff and IAC, the Commission selected to use interest earned on ARPA funds to fund this \$12,084 project, which does not carry the program requirements and monitoring of enumerated or revenue replacement, as a better use of resources. The resolution was reviewed by IAC and the County Attorney for use of ARPA revenue replacement funds and is pending Commission approval for the 12/20/22 meeting. The item was removed on 12/19/2022 to resolve the issue with the request and documentation amounts not matching. The corrected amount of \$10,084 was approved at the 01/17/2023 Meeting.

- Remaining ARPA interest revenue as of 03/31/2023 - \$682,413.70
- Remaining Revenue Replacement interest revenue as of 03/31/2023 -\$249,002.20

Local Assistance & Tribal Consistency Fund (LATCF)

U.S. Treasury has announced that Baldwin County is eligible for \$100,000 (\$50,000 for Fiscal Years 22 & 23 each) in LATCF funds (under ARPA) that can be used for any governmental purpose except for lobbying. Generally, this means that Baldwin County may use these funds in the same way it uses funds generated by local revenues. Funds must be requested through the Treasury submission portal no later than January 31, 2023, but there is no hard deadline to expend funds. Commission approved to Apply 12/20/2022. Application Submitted to U.S. Treasury on 12/22/2022.