

RESOLUTION No. 2025 - 077

**AUTHORIZING THE AMENDMENT OF A SUBRECIPIENT AGREEMENT BETWEEN
BALDWIN COUNTY, ALABAMA, AND CITY OF LOXLEY, ALABAMA,
FOR
AMERICAN RESCUE PLAN ACT SUBRECIPIENT GRANT FUNDING
FOR QUALIFYING WATER/SEWER INFRASTRUCTURE PROJECTS**

WHEREAS, BALDWIN COUNTY, ALABAMA, ("County") and **CITY OF LOXLEY, ALABAMA**, a **municipal corporation** (the "Subrecipient") (collectively, "the Parties"), lawfully entered into the above-cited Subrecipient Agreement on or about July 5, 2023, as amended on December 17, 2024, for the provision by the County of ARPA funds as an infrastructure grant to facilitate a water infrastructure capacity improvement project, including the construction of an approximately 1,000 gpm groundwater production well to include pumping equipment and appurtenances along with site fencing, driveway improvements, and other required site work ("Agreement"); and

WHEREAS, the Parties now mutually desire to amend said Agreement for the purpose of adjusting its period of performance to more closely reflect the actual timeline of the Subrecipient's completion of the project and satisfaction of the administrative requirements attendant thereto; and

WHEREAS, it is the intent of the Parties to amend only those portions of the Agreement set forth specifically herein and that all other provisions, terms, and conditions contained in the Agreement which are not amended herein shall remain in full force and effect as to the original Agreement as well as to this Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE BALDWIN COUNTY COMMISSION that:

1. The Commission hereby directs the Chairman to enter into an amendment to Agreement with the Subrecipient consistent with this Resolution if, in his discretion, the terms and conditions are in the best interest of the County.
2. Upon execution of the amended Agreement, the County Administrator is hereby authorized to expend ARPA funds for costs of the project in accordance with this Resolution and the amended subrecipient agreement.
3. The ARPA Program Director is charged with ensuring that the funds allocated and expended to provide these government services will not be used in such a way as to frustrate COVID-19 mitigation guidance issued by the Centers for Disease Control or for any other use prohibited by the Final Rule or any applicable state or federal law.
4. Expenditure of these funds, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA funds for this purpose and in no event shall be used for any costs associated with the project that are not obligated on or before December 31, 2024, and expended on or before December 31, 2026.

IN WITNESS WHEREOF, the Baldwin County Commission has caused this Resolution to be executed in its name and on its behalf on the 18th day of February 2025.

Matthew P. McKenzie, Chairman
Baldwin County Commission

ATTEST:

Roger H. Rendleman, County Administrator