

STATE OF ALABAMA            )  
COUNTY OF BALDWIN        )

**RESOLUTION #2025-050  
OF THE  
BALDWIN COUNTY COMMISSION**

**RESOLUTION ALLOCATING FUNDS FOR PUBLIC WORKS PROJECTS USING  
AMERICAN RESCUE PLAN ACT FUNDS**

**WHEREAS**, Baldwin County, Alabama, (the “County”) has received American Rescue Plan Act State and Local Fiscal Recovery Funds (“ARPA funds”); and

**WHEREAS**, the Baldwin County Commission (the “Commission”) is charged with ensuring that such funds are expended in accordance with state and federal law; and

**WHEREAS**, by way of Resolution #2023-012 dated October 4, 2022, the Commission allocated \$70,000 in ARPA funds for professional design services to be provided by LaBella for the improvements to the ventilation system servicing the County-owned Probate Office building (the “Probate Office Project”) , which was based upon an initial cost estimate, and entered into a contract therefore on October 18, 2022; and

**WHEREAS**, by way of Resolution #2023-010 dated October 3, 2023, the Commission allocated \$120,000 in ARPA funds for professional design services to be provided by LaBella for the Baldwin County Foley Satellite Courthouse building for ventilation system upgrades “Foley Courthouse Project”), which was based upon an initial cost estimate for the Foley Courthouse, and entered into a contract therefore on October 24, 2022; and

**WHEREAS**, following the solicitation of bids for both the Probate Office Project and the Foley Courthouse Project consistent with the Public Works law, the bids received were well under budget; and

**WHEREAS**, in accordance with Agreement provisions 7. a. i. and 7. a. ii., of the contracts, the Commission sought an adjustment of the costs of professional services provided by LaBella to more closely coincide with the actual contracted ventilation system improvements construction project costs; and

**WHEREAS**, the Commission has negotiated with LaBella and reached an understanding that LaBella agrees to reimburse the Commission in the amount of \$56,441.39 for combined overpayments using allocated ARPA funds made to LaBella for professional design services concerning the Bay Minette Probate building and Baldwin County Foley Satellite Courthouse building ventilation system improvements projects.

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

- 1) The Commission hereby deallocates \$27,835.81 in ARPA funds allocated by way of Resolution #2023-012 dated October 4, 2022, to Labella for the Probate Office Project.
- 2) The Commission hereby deallocates \$28,605.58 in ARPA funds allocated by way of Resolution #2023-010 dated October 3, 2023, to Labella for the Foley Courthouse Project.
- 3) The Commission hereby reallocates these ARPA funds as follows:
  - a. \$3,250.00, to the Queuing Structure ARPA project at the Baldwin County Courthouse; and
  - b. \$53,191.39 to the CR-65 drainage improvement water infrastructure ARPA project.
- 4) The allocations and expenditure of ARPA funds for the purposes described herein shall be 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 3<sup>rd</sup> day of December, 2024.

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Matthew P. McKenzie  
Chairman, Baldwin County Commission

ATTEST:

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Roger H. Rendleman, County Administrator