

STATE OF ALABAMA       )  
COUNTY OF BALDWIN    )

**RESOLUTION #2025-012  
OF THE  
BALDWIN COUNTY COMMISSION**

**RESOLUTION TO AUTHORIZE EXPENDITURE OF AMERICAN RESCUE PLAN ACT  
FUNDS FOR GOVERNMENTAL SERVICES USING REVENUE REPLACEMENT FUNDS**

**WHEREAS**, Baldwin County, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA Funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

**WHEREAS**, in accordance with the final rule issued by Treasury on January 6, 2022, the County has duly elected to take the standard allowance of revenue replacement funds equal to \$10,000,000 of its ARPA Funds ("ARPA Revenue Replacement Funds"); and

**WHEREAS**, the County may use Revenue Replacement Funds to cover the costs that it typically bears to provide government services; and

**WHEREAS**, one of the costs the County typically bears to provide these services is the maintenance of and improvements to government facilities, including the cost to design and construct improvements to ensure the safe transport of inmates of County operated correctional facilities to and from other facilities in which court proceedings are conducted; and

**WHEREAS**, the Baldwin County Commission (the "COMMISSION") has determined that designing and constructing a secure sally port at the Baldwin County Courthouse located at 1 Courthouse Square, Bay Minette, Alabama, for the transfer of inmates from transport vehicles into the courthouse (the "Sally Port Project") using Revenue Replacement Funds is a necessary, eligible, and reasonable use of these funds; and

**WHEREAS**, the COMMISSION adopted Resolution #2024-078, allocating up to \$164,336.26 of its ARPA Revenue Replacement Funds to cover part or all of the eligible costs of the professional design services for the Sally Port Project at the Baldwin County Courthouse to be paid to the architectural design firm PH&J Architects Incorporated ("PH&J Architects") pursuant to an agreement authorized by the COMMISSION; and

**WHEREAS**, this allocation for design fees was based on an estimated construction costs for the project in the amount of \$2,528,250; and

**WHEREAS**, the County issued an Advertisement for Bids for the Project, which was duly advertised as required by the State Public Works Law, incurring a cost to Gulf Coast Media of \$773.69; and

**WHEREAS**, following the issuance and Advertisement for Bids for the Project, in which sealed bids

were publicly opened, Rogers & Willard, Inc.'s bid of \$3,613,500.00 was evaluated by PH&J Architects 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**, due to the bid cost for the construction of the Sally Port Project, pursuant to the agreement with PH&J Architects authorized by the COMMISSION, the cost of related design fees has increased to \$243,002.50; and

**WHEREAS**, the COMMISSION has determined that using ARPA funds to cover the total design, advertisement, and construction costs associated with the Sally Port Project is a necessary, eligible, and reasonable use of these funds; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION** as follows:

1) The COMMISSION hereby allocates up to \$3,857,276.19 of its ARPA Funds to cover part or all of the eligible construction costs for the Sally Port Project at the Baldwin County Courthouse.

2) The COMMISSION hereby authorizes the Commission Chair to enter into the construction services agreement (the "Agreement") with Rogers & Willard, Inc. attached to this Resolution as Addendum 1, for the provision of renovation and related services, labor, and materials necessary for the implementation and completion of the Project for a cost not to exceed \$3,613,500.00.

3) The allocation 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 15<sup>TH</sup> day of October 2024.

\_\_\_\_\_  
Billie Jo Underwood, Chairman  
Baldwin County Commission

ATTEST:

\_\_\_\_\_  
Roger H. Rendleman  
County Administrator