

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2026-057
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, ARPA funds may be used to cover the cost of expenses for necessary investments in water infrastructure projects and improvements to ventilation systems in public facilities as eligible uses of ARPA funds; and

WHEREAS, the Commission adopted Resolution #2025-158 during its August 5, 2025, Regular Meeting reallocating the following ARPA funds:

- \$8,677.00 from the Board of Education HVAC Project to cover the costs of Change Order #1 for the Foley Satellite Courthouse HVAC; and
- \$7,073.00 from the Board of Education HVAC Project to cover the costs of Change Order #1 for Project No. HW23092 - Drainage Improvements on County Road 68; and
- \$10,232.25 from the Fairhope Satellite Courthouse HVAC Project to cover the costs of Change Order #1 for Project No. HW23092 - Drainage Improvements on County Road 68; and
- \$10,000.00 from the Construction of Miscellaneous Protective Partitions Project to cover the costs of Change Order #1 for Project No. HW23092 - Drainage Improvements on County Road 68; and

WHEREAS, the Commission awarded Project No. HW21179000 - Surfside Drive Drainage Improvements to the lowest bidder, Parten Smith, Inc., in the Bid Amount \$2,700,000.00, on September 17, 2024; and

WHEREAS, the Commission received Change Order #2 for Project No. HW21179000 - Surfside Drive Drainage Improvements in the amount of \$150,307.50 on February 6, 2026; and

WHEREAS, the Commission awarded the bid for Construction of New Mental Health Holding Cells at the Baldwin County Corrections Center and the Juvenile Detention Center, Alabama, to the lowest

responsible and responsive bidder, Tindle Construction, LLC, in the bid amount of \$3,900,000.00 on August 20, 2024; and

WHEREAS, the Commission approved Security/Equipment Allowance Authorization No. 1 with Tindle Construction, LLC, in the bid amount of \$171,383.54 to upgrade and modify security equipment, with no change to the original contract amount, for the Construction of New Mental Health Holding Cells at the Baldwin County Corrections Center on February 18, 2025; and

WHEREAS, the Commission approved Owner's Allowance Authorization No. 1 with Tindle Construction, LLC, in the bid amount of \$42,130.89 to upgrade and modify security equipment, with no change to the original contract amount, for the Construction of New Mental Health Holding Cells at the Baldwin County Corrections Center on December 17, 2024; and

WHEREAS, the Commission approved Owner's Allowance Authorization No. 2 with Tindle Construction, LLC, in the amount of \$12,500.26 for adding conduit, wall boxes, and Cat 6 cable for the intercoms in the padded cells, with no change to the original contract amount, for the construction of New Mental Health Holding Cells at the Baldwin County Corrections Center on May 6, 2025; and

WHEREAS, the Commission approved Owner's Allowance Authorization No. 3 with Tindle Construction, LLC, in the amount of \$31,392.81 for various changes, with no change to the original contract amount, for the Construction of New Mental Health Holding Cells at the Baldwin County Corrections Center on November 18, 2025, with a remaining contingency allowance of \$113,976.04; and

WHEREAS, the Commission awarded bid #WG24-25 - Purchase and Installation of new HVAC Equipment for the Foley Satellite Courthouse to the lowest bidder, Persons Services Corporation, in the bid amount of \$359,528.00 on August 6, 2024; and

WHEREAS, the Commission approved and authorized the Chairman to execute Change Order #1, to substitute R410a equipment with new R454b refrigerant rated equipment, in the amount of \$8,677.00 with Persons Services Corporation, on the Purchase and Installation of New HVAC Equipment for the Baldwin County Foley Satellite Courthouse on May 20, 2025; and

WHEREAS, the Commission awarded the bid for Construction of New Outdoor Atrium at the Baldwin County to the lowest responsible and responsive bidder, Tindle Construction LLC, in the Base Bid amount of \$2,615,600.00 plus Alternate 1: Interior Security Area Work amount of \$184,400.00 for a total of \$2,800,000.00 on October 15, 2024; and

WHEREAS, the Commission approved and authorized the Chairman to execute Owner's Allowance Authorization No. 1 with Tindle Construction, LLC, in the amount of \$1,671.50 for exterior and interior temporary signage, with no change to the original contract amount, for the Construction of New Outdoor Atrium at the Baldwin County Courthouse on April 1, 2025; and

WHEREAS, the Commission approved and authorized the Chairman to execute Owner's Allowance Authorization No. 2 with Tindle Construction, LLC, in the amount of \$15,751.18 to over excavate and install lean concrete at exterior foundations due to existing soil conditions, with no change to the original contract amount, for the Construction of New Outdoor Atrium at the Baldwin County Courthouse on May 6, 2025; and

WHEREAS, the Commission approved and authorized the Chairman to execute Owner's Allowance Authorization No. 3 with Tindle Construction, LLC, in the amount \$4,552.60 to replace existing steel beams at front entry due to beams being attached to precast in lieu of concrete block, with no change to the original contract amount, for the Construction of New Outdoor Atrium at the Baldwin County Courthouse on June 24, 2025; and

WHEREAS, the Commission approved and authorized the Chairman to execute Owner's Allowance Authorization No. 4 with Tindle Construction, LLC, in the amount \$9,578.00, for sealing joints in the existing precast and removing asbestos floor tile in the Operations Rooms 103, encapsulate the asbestos mastic and skim for the new LVT in Courthouse Entry, with no change to the original contract amount, for the Construction of New Outdoor Atrium at the Baldwin County Courthouse on September 2, 2025; and

WHEREAS, the Commission approved and authorized the Chairman to execute Owner's Allowance Authorization No. 5 with Tindle Construction, LLC, in the amount \$18,984.00, for installing straps on existing cracked pre-cast coping, seal cracked area and cover entire radius section with pre-finished metal cap, with no change to the original contract amount, for the Construction of New Outdoor Atrium at the Baldwin County Courthouse on October 7, 2025; and

WHEREAS, the Commission approved and authorized the Chairman to execute Owner's Allowance Authorization No. 6 with Tindle Construction, LLC, in the amount \$3,450.00, for installing riser at storm sewer, with no change to the original contract amount, for the Construction of New Outdoor Atrium at the Baldwin County Courthouse on October 21, 2025; and

WHEREAS, the Commission approved and authorized the Chairman to execute Owner's Allowance Authorization No. 7 with Tindle Construction, LLC, in the amount \$1,581.00, for extending HVAC duct and fire sprinkler line in Lobby area due to lowering ceiling height in exit area, with no change to the original contract amount, for the Construction of New Outdoor Atrium at the Baldwin County Courthouse on November 18, 2025; and

WHEREAS, the Commission approved and authorized the Chairman to execute Owner's Allowance Authorization No. 8 with Tindle Construction, LLC, in the amount \$4,153.46, to apply wall coating to existing knee walls in front of Courthouse in lieu of clear sealant, with no change to the original contract amount, for the Construction of New Outdoor Atrium at the Baldwin County Courthouse on December 16, 2025, with a remaining contingency allowance of \$90,278.26; and

WHEREAS, the Commission closed out Project No. HW21102000 - Paving of County Road 65 from County Road 24 to County Road 28, following its completion on October 8, 2025, with a remaining balance of \$99,142.88; and

WHEREAS, the Commission reallocated \$95,465.30 in ARPA funds from Project No. HW21102000 - Pave County Road 65 from County Road 24 to County Road 28 Project to cover the costs of Change Order #1 for Project No. HW22130 - River Road Drainage Improvement Project on October 21, 2025, with a remaining balance of \$3,677.58; and

WHEREAS, the Commission closed out Project No. Project No. HW23092 - Drainage Improvements on County Road 68, following its completion on January 12, 2026, with a remaining balance of \$9,958.31; and

WHEREAS, the Commission closed out the Construction of Miscellaneous Protective Partitions Project, following its completion on January 12, 2026, with a remaining balance of \$10,000.00; and

WHEREAS, the U.S. Department of the Treasury released the updated guidance on the reobligation of State and Local Fiscal Recovery Funds (SLFRF) from the American Rescue Plan Act (ARPA) funds on November 9, 2023. If a project funded by the ARPA SLFRF is completed with total project expenditures less than the approved budgeted obligation, the remaining funds can be reallocated to other eligible projects that were obligated by the December 31, 2024, reporting deadline; and

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

- 1) The Commission hereby rescinds action taken during its August 5, 2025, Regular Meeting adopting Resolution #2025-158.
- 2) The Commission hereby reallocates \$8,677.00 from the Construction of Miscellaneous Protective Partitions Project to cover the costs of Change Order #1 for the Foley Satellite Courthouse HVAC project.
- 3) The Commission hereby reallocates \$1,323.00 from the Construction of Miscellaneous Protective Partitions Project to partially cover the costs associated with Change Order #2 for Project No. HW21179000 - Drainage Improvements on Surfside Shores.
- 4) The Commission hereby reallocates \$9,958.31 from Project No. HW23092 - Drainage Improvements on County Road 68 to partially cover the costs associated with Change Order #2 for Project No. HW21179000 - Drainage Improvements on Surfside Shores.
- 5) The Commission hereby reallocates \$112,776.04 from the Construction of New Mental Health Holding Cells at Baldwin County Corrections Center and Juvenile Detention Center project contingency allowance to partially cover the costs associated with Change Order #2 for Project No. HW21179000 - Drainage Improvements on Surfside Shores.
- 6) The Commission hereby reallocates \$3,677.58 from Project No. HW21102000 - Pave County Road 65 from County Road 24 to County Road 28 to partially cover the costs associated with Change Order #2 for Project No. HW21179000 - Drainage Improvements on Surfside Shores.
- 7) The Commission hereby reallocates \$22,572.57 from the Bay Minette Courthouse Outdoor Atrium project contingency allowance to partially cover the costs associated with Change Order #2 for Project No. HW21179000 - Drainage Improvements on Surfside Shores.
- 8) The County Administrator is hereby authorized to expend the ARPA funds described herein to cover costs that are reasonably necessary for the completion of the project and subject to the limitations set forth herein.
- 9) Notwithstanding the provisions of this Resolution to the contrary, expenditure of the funds for the purposes described herein for costs associated with the project shall be contingent on compliance with applicable state and federal laws related to competitive procurement of goods and services.

10) 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 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 19th day of February, 2026.

James E. Ball
Chairman, Baldwin County Commission

ATTEST:

Roger H. Rendleman, County Administrator