

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2025-174
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 awarded the architectural and design services contract for the Baldwin County Commission Building Occupied by the Baldwin County Board of Education Ventilation System Improvements to JMR+H Architecture in the amount of 8.14% of the construction cost on April 18, 2023; and

WHEREAS, the Commission awarded the architectural and design services contract for the Baldwin County Fairhope Satellite Courthouse Ventilation System Improvements to JMR+H Architecture in the amount of 8.25% of the construction cost on April 18, 2023; and

WHEREAS, the Commission awarded Project No. HW23067 – County Road 11 (Greeno Road) Drainage Improvements to the lowest responsible and responsive bidder, Arrington Curb & Extraction Inc., in the bid amount of \$1,977,851.68 on May 21, 2024; and

WHEREAS, the Commission adopted Resolution #2023-163 allocating up to \$1,234,482.00 of ARPA funds for Project No. HW21177000 - Perdido Bay Boros Road Water Capacity Improvement Project on September 19, 2023; and

WHEREAS, the Commission awarded the bid for Project No. HW23087 - Main Street Drainage Improvements to the lowest bidder, McElhenney Construction Co., LLC, in the amount of \$185,588.02 on June 4, 2024; 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

WHEREAS, the Commission approved and authorized the Chairman to execute Change Order #1 in the amount of \$309,213.46 for Project No. HW23067 – County Road 11 (Greeno Road) Drainage Improvements with Arrington Curb & Excavation Inc., on September 2, 2025; and

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

- 1) The Commission hereby deallocates \$16,760.66 in ARPA funds for Project No. HW21177000 - Perdido Bay Boros Road Water Capacity Improvement Project due to project completion.
- 2) The Commission hereby deallocates \$63,010.84 in ARPA funds for Project No. HW23087– Main Street Drainage Improvements due to project completion.
- 3) The Commission hereby reallocates these ARPA funds as follows:
 - a. \$6,634.10 for the architectural and design services for the Baldwin County Commission Building Occupied by the Baldwin County Board of Education Ventilation System Improvements Project; and
 - b. \$5,981.25 for the architectural and design services for the Baldwin County Commission Fairhope Satellite Courthouse Ventilation System Improvements Project; and
 - c. \$67,156.15 for Project No. HW23067 – County Road 11 (Greeno Road) Drainage Improvements.
- 4) 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.
- 5) 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.
- 6) 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 16th day of September 2025.

Matthew P. McKenzie
Chairman, Baldwin County Commission

ATTEST:

Roger H. Rendleman, County Administrator