

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2025-158
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 Construction of Miscellaneous Protective Partitions at Various Buildings to the lowest responsible and responsive bidder, TripTek Construction, LLC, in the bid amount of \$253,200.00, on July 2, 2024;

WHEREAS, the Commission awarded the Purchase and Installation of New HVAC Equipment for the Board of Education Building to the lowest responsible and responsive bidder, Tindle Construction, LLC, in the bid amount of \$609,200.00, on August 20, 2024;

WHEREAS, the Commission awarded the Purchase and Installation of New HVAC Equipment for the Fairhope Satellite Courthouse to the lowest responsible and responsive bidder, Tindle Construction, LLC, in the bid amount of \$560,500.00, on August 20, 2024;

WHEREAS, the Commission approved and authorized the Chairman to execute Change Order #1 with TripTek Construction, LLC, in the credit amount of (\$10,000.00) on the Construction of Miscellaneous Protective Partitions at Various Buildings on May 6, 2025.

WHEREAS, the Commission approved and authorized the Chairman to execute Change Order #1 with Tindle Construction, LLC, in the credit amount of (\$10,232.25) on the Purchase and Installation of New HVAC Equipment for the Fairhope Satellite Courthouse March 18, 2025; and

WHEREAS, the Commission approved and authorized the Chairman to execute Change Order #1 with Tindle Construction, LLC, in the credit amount of (\$15,750.00) on the Purchase and Installation of New HVAC Equipment for the Board of Education Building on March 18, 2025; 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 \$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 approved and authorized the Chairman to execute Change Order #1 in the amount of \$27,657.87 with C. Thornton, Inc., for Project No. HW23092 - Drainage Improvements on County Road 68, 1900' East of County Road 65 on July 16, 2025; and

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

- 1) The Commission hereby deallocates \$10,000.00 in ARPA funds for the Construction of Miscellaneous Protective Partitions at Various Buildings Project.
- 2) The Commission hereby deallocates \$10,232.25 in ARPA funds for the Purchase and Installation of New HVAC Equipment for the Fairhope Satellite Courthouse Project.
- 3) The Commission hereby deallocates \$15,750.00 in ARPA funds for the Purchase and Installation of New HVAC Equipment for the Board of Education Building Project.
- 4) The Commission hereby reallocates these ARPA funds as follows:
 - a. \$8,677.00 to the Foley Satellite Courthouse HVAC Project; and
 - b. \$27,305.25 to the CR-68 Drainage Improvement Project.
- 5) 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.
- 6) 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.
- 7) 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 5th day of August 2025.

Matthew P. McKenzie, Chairman
Baldwin County Commission

ATTEST:

Roger H. Rendleman, County Administrator