

American Rescue Plan Act (ARPA) Update

This update accompanies the revised ACCA/IAC Project Draft Uses Work Page as provided by ACCA/IAC (see attached).

Enumerated Uses

WATER/SEWER/STORMWATER

Boros Road: Right-of-way acquisition ongoing with project bidding slated for the second or early third quarter of 2023.

Stormwater Projects: *Eligible Projects under consideration:*

Commission Approved the following projects for Design and Bid prep on 12/20/2022:

- Turberville Bank Stabilization, Spanish Fort, AL (\$700,734)
- Surfside Shores Drainage Improvements, Gulf Shores, AL (\$2,763,273)

Highway Department working on Right-of-Way and Cost Estimates

- Red Gully Streambank Stabilization, Daphne, AL (\$2,500,000)
- Faircloth Road Drainage Improvement Project, Lillian, AL (\$1,500,000)
- CR 28, Magnolia Springs, AL (\$750,000)

Silverhill Water Tower Project:

Town of Silverhill has requested \$1Million for an approximately \$2 Million new water tank to address rapid growth and strain on current system. The ARPA SLFRF Water and Sewer Infrastructure Funding Request has been sent to IAC for eligibility determination by LaBella. Commission agreed to move forward with a Pre-Award Resolution and the Pre-Award process if LaBella deems the project eligible at 12/19/2022 work session.

Summerdale Water Tower Project:

Commissioner Ball requested that Summerdale be considered for a similar project like Silverhill for Summerdale at the 12/19/2022 work session. The ARPA SLFRF Water and Sewer Infrastructure Funding Request has been sent to IAC for eligibility determination by LaBella. Commission agreed to move forward with a Pre-Award Resolution and the Pre-Award process if LaBella deems the project eligible at 01/04/2022 work session.

PREMIUM PAY

Ongoing to eligible employees, with payments to end December 2022.

VENTILATION PROJECTS

Bay Minette Probate Office: Commission approved an allocation of up to \$947,307 per Resolution 2022-170 on 9/20/2022. A professional services agreement with LaBella Associates further allocated \$70,000 of this amount at the 10/18/22 Commission Meeting per Resolution 2023-12. LaBella submitted the following tentative schedule for design/bidding/construction:

- 11/10/2022 - Site Visit
- 12/2/2022 - Existing Conditions Report
- 2/3/2023 - Construction Documents
- 3/1/2023 - Issue for bid
- 8/31/2023 - Construction Completion

Fairhope Courthouse: Assessment report from JMR+H Architecture, PC was received on December 5, 2022. The report is currently pending with JMR+H Architecture, PC. The report identified \$669,000 of improvements in the replacement of HVAC systems operating beyond the designed useful life and in other significant air quality enhancements. In addition, the assessment identified approximately \$56,000 in touchless restroom upgrades. These various items are eligible under the enumerated uses. The Commission agrees to consider architectural services for HVAC project at 12/19/2022 work session. Request for design proposal sent to JMR&H on 1/10/2023. Requested response 1/20/2023.

Board of Education: Assessment completed in June 2022, with future action pending further discussions with the Board to determine the best course of action. Since the December 5th update, one of the HVAC units failed at the BOE building. Building maintenance is looking into a quick fix as carbon monoxide can intrude into the building. On 12/12/22, a request to submit a price quote from JMR&H, a prequalified architectural firm by IAC, sent for design and project services based on the June 2022 assessment. On 12/19/22, JMR&H submitted

a proposal of 8.14% of construction discounted from 9.25% of the state fee schedule, on 12/19/22. Project to Move Forward 01/04/2023.

BRATS Bay Minette Transit Hub:

Survey completed by Building Maintenance and submitted to ICA for Assessment. Site Assessment with JMR&H set for 12/30/2022.

Additional County Owned Facilities

Commission can identify more County-owned facilities with needed ventilation projects to be assessed for ARPA eligibility. IACs only requirement is the County only submit three locations at a time for review and consideration. Commission agreed to submit three more locations for assessment by IAC at the 12/19/2022 work session. Building Maintenance requested to fill out initial surveys for locations 12/22. \$4M Placeholder for a starting point of Allocation.

List of Other Buildings (current status shown):

1. Bay Minette Courthouse (Selected for Assessment)
2. Foley Courthouse (Selected for Assessment)
3. Central Annex (Selected for Assessment)
4. Health Department Robertsdale (on hold)
5. Revenue Building Bay Minette (on hold)
6. Administration Building Bay Minette (on hold)
7. DHR Building Robertsdale – currently owned by Public Building Authority (on hold)

OTHER COVID-19 CONSTRUCTION/RENOVATION

Magnolia Landfill Recycle Facility Touchless Components: RFP release on 11/16/22 and received 12/20/22. Three responses received. RFP was design/build and not design only, which raises some issues with the procurement process.

Courthouse Outdoor: ACCA/IAC has provided an assessment report from Scout which provides two separate options which can be combined or done separately: Option #1 - Estimated cost (**Atrium Canopy**) is \$870,955 Option #2 - Estimated cost (**Atrium Canopy with Enclosing Side Ramps**) is \$948,830. Staff requested ACCA/IAC prepare an analysis of the proposed alternatives on 10/12/22 to determine 1) the need to be addressed, 2) the capital expenditure appropriate to meet the need and 3) a comparison of capital expenditure to the cost of alternative expenditures that would address this need. Updated cost options received from Scout. Completion of the eligibility analysis from IAC is pending. Funding set aside for project 1/04/2023. Move forward once official determination received. PH&J requested to provide design cost proposal 01/10/2023.

Touchless Restroom Upgrades: For buildings being assessed for ventilation / HVAC improvements, these upgrades have been or will be incorporated. For all other buildings, the Building Maintenance Department has identified those facilities shared between staff and the public for prioritization. Staff has met with an architect (as prequalified through ACCA/IAC for Architectural/Engineering Services associated with renovations to courthouses/administrative buildings) to discuss the need for compliance with the Americans with Disabilities Act as well as ARPA public health-specific requirements. The Commission previously allocated \$88,505 for equipment only; however, this was based on the purchase of equipment only, utilizing staff labor to install. Equipment costs have likely increased since the initial estimate and the need to utilize professional design services and contract labor will require additional funds as well. Feasibility Study Agreement for Design & Scope Approved for \$14,200 with PH&J at 12/20/2022 Meeting.

Ionizers in Buildings: Need to identify buildings for assessment by ACCA/IAC, noting that further evaluation will be subject to the finalized list of buildings to receive ventilation improvements. Effectiveness questionable. Remove from consideration 1/4/2020.

Mental Health Jail Renovations: ACCA/IAC has confirmed the use of revenue replacement funds for a feasibility study to evaluate a possible mental health wing. Specifically, an architect is needed to fully evaluate various options/costs/disability accessibility. Staff initially met with PH&J Architects, Inc. (architect for the ongoing jail project) on 10/20/22 to discuss undertaking a feasibility study of the old jail, since the new jail is under construction and was not procured using federal bidding and contracting requirements. PH&J subsequently met with County staff and the Sheriff's office on 10/26/22 to obtain additional information to inform the proposed scope of work. Feasibility Study Agreement for Design & Scope Approved for \$5,000 with PH&J at 12/20/2022 Meeting. \$1M Placeholder for a starting point of Allocation.

Partitions in County Buildings: Staff has consulted with ACCA/IAC regarding projects for seven different departments at various locations. Due to difficulties securing quotes and avoiding possible issues under State procurement (dividing like items to avoid formal bidding), staff has contacted ACCA/IAC's prequalified vendors for the cost proposal of hiring an architect to design/bid/oversee construction. Staff has received the design cost proposal from PH&J for 6.5% of construction costs. Architect Agreement ready for consideration. The design cost will not be known until the bids are received for the following four departments:

- Highway Department (Robertsdale)
- Revenue Commission Department (Robertsdale, Foley, and Fairhope)
- Archives (Bay Minette)
- Juvenile Detention Center (Bay Minette)

Commission approved the following facilities on November 1, 2022:

- COA (Vaughn SAIL Center) Alabama Correctional Industries (ACI) Cost: \$1,133
 - Building Inspection Department (Robertsdale) One Cut Glass, LLC \$49,327
- The Public Works Services Contract is pending Commission action on the December 5, 2022, meeting.

AID TO NONPROFITS

PATH Program: ACCA/IAC and County staff have spoken with Beth Biggs, Family Promise Director, regarding the use of ARPA funds for a mental health crisis response team (comprised of AltaPointe professional staff) for Baldwin County, similar to the PATH Team in Mobile County. This team would serve residents by responding to individuals experiencing a mental health crisis for onsite evaluations and referrals to emergency in-patient care (as appropriate) in lieu of an incarceration setting. The annual \$350k requested funding would be used to hire four additional professional staff members who would work rotating 12-hour shifts. Funding for this additional staffing will enable the provision of outpatient services during extended hours during the week and on all weekends, with 24-hour access to on-call staff. This additional staffing will also free up resources needed for responses with law enforcement in the event of a mental health, substance use, or homelessness crisis, as well as mental health training for law enforcement personnel. Finally, the additional staffing will allow AltaPointe to begin providing case management services for individuals experiencing homelessness in Baldwin County that are similar to the case management services provided by AltaPointe's PATH team in Mobile County. AltaPointe expressed concerns about staffing up this team temporarily using ARPA funds, if the County would not be willing to continue to fund the program after December 31, 2024. At the 12/5/22 meeting, the Commission requested representatives from AltaPointe be invited to attend the 12/19/22 work session to further discuss this request. Traci Jones, CFO for AltaPointe Health responded 12/7/22 to the invitation indicating that team members will be present at the 12/19/22 meeting to discuss the program. After Altapointe answered questions and committed to finding resources for beyond the first two ARPA years, the Commission agreed to move forward with a funding agreement with ARPA funds for the PATH Program at the 12/19/22 work session. Conference Call with IAC and AltaPointe for discussion of measurements and milestones for program to incorporate into an agreement to determine meeting of goals and level of success on 1/05/2023. IAC working on draft agreement.

Nonprofit Applications: County staff sent the applications to the following requested nonprofits on 9/28/22 and a follow-up email was sent on 10/31/22: **Child Advocacy Center, Prodissee Pantry, Feeding the Gulf Coast, Shoulder Drug & Alcohol, The Landing, Dream Center, Family Promise, and Historic Blakely Authority (Revenue Replacement only).** An application was forwarded to AltaPointe on 10/24/22 (also see below).. Staff received the following applications that are currently under review by IAC:

Based on Initial Review and Discussion at 1/4/2023 work session

- Child Advocacy Center – Overall Financials support financial hardship. Moving forward with additional consideration
- AltaPointe – Overall Financials not necessarily supporting financial hardship; however, additional financial indicate hardship. Entity already up for consideration for \$700K for PATH. Not moving forward with this additional \$955K request.
- Family Promise of Baldwin County – Overall Financials not supporting financial hardship. Can consider support of services as a Subrecipient. Not moving forward with additional consideration.
- Prodissee Pantry– Overall Financials not supporting financial hardship. Can consider support of services as a Subrecipient. Not moving forward with additional consideration.
- Feeding the Gulf Coast– Overall Financials not supporting financial hardship. Can

consider support of services as a Subrecipient. Not moving forward with additional consideration.

- The Dream Center– Entity did not operate prior to start of pandemic, so basically, not eligible for financial hardship. Can consider support of services as a Subrecipient. Not moving forward with additional consideration.

COVID-19 Mitigation/Healthcare

Insurance Costs: Ongoing

COVID-19 Leave: Completed

GOVERNMENT RESILIENCY

Tyler Technologies: Completed

Electronic Document Management System: Funds set aside for now Additional Information and data needed for further consideration 1/4/2023.

ADMINISTRATIVE COSTS

Ongoing

HOUSEHOLDS & COMMUNITIES

Baldwin Family Village Foundation: Baldwin Family Village Foundation has purchased and renovated a facility in Fairhope and plans to provide transitional housing (i.e., temporary housing with supportive services for homeless persons) at this location. The Commission has preliminarily indicated that up to \$500,000 could be provided, contingent upon a determination of ARPA eligibility. ACCA/IAC and County staff met with the Baldwin Family Village Foundation and Dumus Wesley staff on 10/21/22 to discuss funding logistics. An evaluation has been provided by ACCA/IAC noting the Federal Housing Act relative to the fact that Baldwin Family Village will exclusively serve women and women with children. This is pending County legal review. A WebEx was held on 12/8/22 with Baldwin Family Village and the County Attorney. Ron Andress with Housing First is going to reach out to his contact at HUD to determine the best course of action regarding questions with potential conflicts with ARPA requirements.

BCC DEPARTMENT FUNDING REQUESTS

BRATS Pre-Pandemic Staffing Levels: In the following outreach to all department heads, a request was made for the evaluation of certain projects under ARPA. BRATS requested ARPA funding to provide transit driver staffing to pre-pandemic levels. ACCA/IAC has reviewed and advised that real ARPA funds can be used to hire or rehire employees for the same budgeted positions that existed on January 27, 2020, but that were unfilled or eliminated as of March 3, 2021. Additional information is needed to inform the number of positions and potential costs. At the 12/5/22 meeting, Commission requested staff calculate the pre-pandemic staffing levels and bring it back before them.

Juvenile Detention Center Mental Health Cells: JDC has requested ARPA funds for two padded cells. Due to Americans with Disabilities Act (ADA) requirements and the fact that the estimated cost is over the public works bid threshold of \$50K, the Commission authorized staff to request a cost proposal for a feasibility study through ACCA/IAC's prequalified Architectural/Engineering vendors. Feasibility Study Agreement for Design & Scope Approved for \$1,500 with PH&J at 12/20/2022 Meeting.

Revenue Replacement Funds

Old Vaughn School: Capital improvements necessary to provide a vaccination site would qualify for "real ARPA" funding; however, a justification would be needed to document the costs and that the proposed work is reasonably related and proportional to the impact/harm to be addressed. This would include documenting that there is no alternative facility or another suitable solution that can be implemented at a more reasonable cost. County staff submitted justification to IAC on 10/11/22 regarding the lack of an alternate facility suitable for a mass vaccination site due to the current ownership, square footage to properly social distance, and the risk of dispersing COVID-19 or other viruses in facilities that host senior citizen events. ACCA/IAC has advised that further evaluation is needed and (upon consultation with County staff) has requested that Scout Program Management assess this site and alternatives for budgeting and planning purposes. Scout conducted an on-site

evaluation on 11/21/22. Cost Estimate of \$1,385,465 received from Scout 12/28. With challenges meeting Enumerated Uses requirements, a focus shift to consider as County Facility for Multi-Use. Moved to Revenue Replacement 1/4/23.

Magnolia Landfill Recycle Facility Design: Ongoing. Added \$1,500,000 for HVAC/Ventilation at 1/04/2023 work session.

Lexipol Law Enforcement Training: Resolution Allocating Funds for Use approved 12/20/2022.

Corte Road Extension: Need to discuss use of approximately \$3M in revenue replacement funds for this proposed project. Likely would be considered under new authorized uses by Congress. Treasury Guidance due first part of March.

Courthouse Security: On behalf of ACCA/IAC, Scout Program Management conducted an on-site inspection at the courthouse and met with County staff to discuss the parameters of the potential project. The cost proposal from the assessment is \$589,550. Commission indicated to move forward with the project on 12/05/22. PH&J submitted a Design Proposal of 9.625% along with Cost Estimator fee of \$4,500 for total estimate of \$53,843

Gateway Initiative: ACCA/IAC staff, along with County staff, participated in a call with Ed Bushaw, Executive Director of the South Baldwin Workforce Development Authority on 9/30/2022 regarding a training facility for early childhood development, a transportation hub, and subsidized workforce housing for those enrolled in hospitality and education programs. The Authority requested approximately \$270,000 for the project master plan and approximately \$30,000 for the economic impact study. On 10/31/22 Commission requested the Gateway Initiative funding be held off until more is known about the City of Foley's property donation. Representatives from the City of Orange Beach, the Gulf Shores and Orange Beach Tourism (CVB), the City of Foley, and the Gateway Initiative were in attendance at the December 19th work session. The Commission chose to move forward the steps necessary to fund the Gateway Initiative request. IAC provided the notice needed to be published for the proposed expenditure of revenue replacement funds for an economic development purpose under the authority of Amendment 772, a draft agreement, and a resolution to approve the final agreement on 12/30/2022. Public Meeting Ad published January 13-18 and will be held at the 2/7/23 Commission Meeting.

BRATS Transportation Costs for South Baldwin Workforce Campus: In the following outreach to all department heads, a request was made for the evaluation of certain projects under ARPA. BRATS requested ARPA funding to provide transportation costs for the South Baldwin Workforce Campus (housing, training, childcare), transporting employees from the campus to employers in Gulf Shores/Orange Beach (note that this is related to the Gateway Initiative above). Additional information is needed for ACCA/IAC to determine if this would be an appropriate use of revenue replacement funding under Amendment 772. Further discussions are needed to clarify project details. Removed at 01/04/2023 work session after short discussion. Campus still in planning stages.

Planning & Zoning Request: In the following outreach to all department heads, a request was made for the evaluation of certain projects under ARPA. Staff reviewed relative to the use of real ARPA funds and forwarded potential projects to ACCA/IAC for further review. ACCA/IAC confirmed that projects were not eligible for funding using real ARPA funds; however, the following can be funded under revenue replacement. Commission feedback is needed regarding the potential use of revenue replacement dollars for these projects, noting that we do not have information on potential costs at this time. After some discussion 01/04/2023, remove from consideration.

- Funding to inventory and map stormwater facilities within MS4 areas and within the rest of the County (awaiting cost proposal)
- Pave or gravel dirt roads identified in the Environmental Advisory Committee Dirt Road Study (awaiting completion of the study to identify roads)
- Fund County Strategic Plan Strategy for Countywide Water Quality Program (awaiting cost proposal)
- Complete Perdido Watershed Management Plan in Baldwin County (awaiting cost proposal)

Probate Judge Monitors: Probate has requested ARPA funds for tag/licensing computer monitors and is in the process of getting CIS to provide pricing. These monitors will aid in providing personalized license plates and provide a means by which to adjust font size and screen contrast/color for visually impaired persons. Staff is awaiting further details and cost estimates. Commission requested to discuss the monitors submitted for ARPA with the

Probate Office during the December 19, 2022, Commission work session. They are requesting a full scope outlining the monitors' advantages and a cost estimate. The Probate Office could not attend that meeting but can make the January 4, 2023, meeting. Probate Office requested to remove from consideration on January 3, 2023.

Baldwin Mega Site Industrial Park Southern Entrance Improvements: A time sensitive request to utilize \$1,000,000 of the County's ARPA revenue replacement funds for construction of a south access road into the Novelis development. The funds shall be used to cover the County's internal cost for the construction of the road by the Baldwin County Highway Maintenance Staff. The funds are also to cover the cost of materials and other services related to the project, provided that these materials and services are acquired per applicable procurement requirements. Resolution Allocating Funds for Use approved 12/20/2022.

Revenue Commissioner - Requested consideration for swipe card access for all exterior doors for our Bay Minette office (excluding main entrance) and all exterior doors in our Robertsdale Appraisal office (old 911). Also, exterior security cameras for the appraisal office. They are estimating \$30k will cover it. Email request 01/04/2023

Infirmity Health Staff Button Badges – additional information to be provided by Infirmity Health and IAC reviewing eligibility questions as an entity. Request at 01/04/2023 work session.

AID TO NONPROFITS

The Historic Blakeley State Authority submitted the application to staff on 11/9/2022. ACCA reviewed the application and deemed it eligible for revenue replacement funds. The Historic Blakeley State Authority requested \$46,000 in financial hardship. Resolution Allocating Funds for Use approved 12/20/2022.

Cleanstrike Foggers: Completed

Motorola Equipment and Additional Bandwidth: Completed

OTHER ARPA MATTERS

Lehman Road: Upon recommendation of staff and IAC, the Commission selected to use interest earned on ARPA funds to fund this \$12,084 project, which does not carry the program requirements and monitoring of enumerated or revenue replacement, as a better use of resources. The resolution was reviewed by IAC and the County Attorney for use of ARPA revenue replacement funds and is pending Commission approval for the 12/20/22 meeting. The item removed 12/19/2022 to resolve issue with the request and documentation amounts not matching. Corrected Amount of \$10,084 read for consideration a /1/17/2023 Meeting.

TPP Payback: Commission accepted the staff recommendation for use of ARPA interest income, which does not carry the program requirements of enumerated or revenue replacement to reimburse the general fund and other departmental funds of the Temporary Premium Pay for employees exceeding the income threshold. The resolution was reviewed by IAC and the County Attorney for use of ARPA revenue replacement funds and is pending Commission approval for the 12/20/22 meeting. Commission voted not to approve 12/20/2022.

Local Assistance & Tribal Consistency Fund (LATCH)

U.S. Treasury has announced that Baldwin County is eligible for \$100,000 (\$50,000 for Fiscal Years 22 & 23 each) in LATCH funds (under ARPA) that can be used for any governmental purpose except for lobbying. Generally, this means that Baldwin County may use these funds in the same way it uses funds generated by local revenues. Funds must be requested through the Treasury submission portal no later than January 31, 2023, but there is no hard deadline to expend funds. Commission approved to Apply 12/20/2022. Application Submitted to U.S. Treasury on 12/22/2022.