Baldwin County Commission

Legislation Details (With Text)

File #:	23-1138 **Version:** 1		
Type:	American Rescue Plan Act (ARPA) Recommendations	**Status:**	Agenda Ready
File created:	5/5/2023	**In control:**	Baldwin County Commission Regular
On agenda:	5/16/2023	**Final action:**	
Title:	*Resolution #2023-120 - Allocation of American Rescue Plan Act (ARPA) Funds for Bay Minette Courthouse Outdoor Atrium		
Indexes:			
Attachments:	1. Baldwin County Courthouse Atrium Assessment dated Sep. 21, 2022, 2. AIA - PH&J Architects, Inc. - Courthouse Atrium Agreement, 3. *Addendum Attachment - Resolution 2023-120 Bay Minette Courthouse Atrium, 4. *Resolution 2023-120-Signed		

Date	Ver.	Action By	Action	Result
5/16/2023	1	Baldwin County Commission Regular	Approved	Pass

Meeting Type: BCC Regular Meeting
Meeting Date: 5/16/2023
Item Status: New
From: Roger H. Rendleman, County Administrator; Brian L. Underwood, Grants Director
Submitted by: Anna Buford, Grants Administrator

ITEM TITLE

*Resolution #2023-120 - Allocation of American Rescue Plan Act (ARPA) Funds for Bay Minette Courthouse Outdoor Atrium

STAFF RECOMMENDATION

Take the following actions:

1) Adopt Resolution #2023-120 of the Baldwin County Commission allocating up to but not to exceed $948,830.00 of ARPA funds for the Bay Minette Courthouse Outdoor Atrium; and

2) Approve and authorize the Chairman to execute the AIA Professional Services Contract with PH&J Architects, Inc. in the amount of 6.5% of the construction cost for the Design of Bay Minette Courthouse Outdoor Atrium.

The period of performance for this Agreement shall begin on the date of execution of the Agreement by both parties and shall end upon the completion of the project or on December 31, 2026.

BACKGROUND INFORMATION

Background: Resolution forthcoming from IAC.

The Final Rule issued by the U.S. Department of Treasury on January 6, 2022, identifies certain COVID-19 mitigation and prevention uses to include support for prevention, mitigation, or other

services in public facilities. The construction of the open-air atrium and the enclosed ramps will provide shelter from the elements, while allowing the public to social distance. This is a low-cost method of mitigating the spread of COVID-19 and other airborne diseases to benefit the individuals accessing public services at this facility.

The Architect was selected from the Association of County Commissions of Alabama (ACCA) approved list of Architects that was done through a competitive process to be used on ARPA projects.

Previous Commission action/date:

May 2, 2023 - Roger Rendleman provided an updated project list and discussed the following: 1) Allocation of ARPA funds for Baldwin County Commission Staff Administration Costs was approved 2) Allocation of ARPA Revenue Replacement Funds to Baldwin County Eastern Shore Health Care Authority was approved 3) Competitive Bid #WG23-17 - Outfit the Magnolia Material Recovery Facility for the Baldwin County Commission was approved (change order to contract documents) 4) Resolution #2023-110 was adopted allocating ARPA Revenue Replacement funds for the purchase of a 2R 250-84 2x50 Horsepower Two Ram Baler for Recycle Facility.

April 18, 2023 - Roger Rendleman provided an updated project list and discussed the following: 1) Turberville Lane Drainage Improvements, staff recommendation was approved to develop a Resolution increasing the project budget by $233,750.97 out of unallocated ARPA funds due to bids exceeding initial project budget. 2) Baldwin County BOE Building Ventilation System Improvements had a Resolution adopted allocating ARPA funds. 3) Baldwin County Fairhope Satellite Courthouse Ventilation System Improvements had a Resolution adopted allocating ARPA funds.

April 3, 2023 - Roger Rendleman provided an updated project list and discussed the following: 1) USA Health Panic Badges potential project pulled, no longer requested. 2) Fairhope Courthouse HVAC design project waiting on JMR+H revisions. 3) BOE Bay Minette HVAC design project waiting on JMR+H revisions. 4) Infirmary Health Panic Badges project waiting on ACCA. 5) Silverhill Water Tower project waiting on ACCA. 6) Summerdale Water Tower project waiting on ACCA. 7) Bay Minette Courthouse Atrium project waiting on PH&J revisions.

March 20, 2023 - Roger Rendleman provided an updated project list and discussed the following: 1) Commission requested staff to prepare the pre-award packet to the City of Loxley, for Water Capacity improvements in the amount of $750,000.00. 2) Commission requested to remove the $750,000.00 allocated for the unobligated HVAC ventilation projects to fund the city of Loxley's water capacity improvements. 3) Commission requested Joey Nunnally, County Engineer, to provide an update on the Corte Road project status at the 04/03/2023 work session during the ARPA update. 4) Commission requested to remove the Coroner's Facility new building request from Revenue Replacement funds. 5) Commission requested to add a placeholder for the University of South Alabama Health - Baldwin County Panic Button Badges utilizing Revenue Replacement funds (awaiting cost proposal from Commissioner Ball).

February 24, 2023 - Roger Rendleman provided an updated project list and discussed the following: 1) The Baldwin Family Village Foundation request is ineligible due to the Fair Housing Act and serving only women, and women with children.

February 6, 2023 - Roger Rendleman provided an updated project list and discussed the following: 1) Commission requested staff to send the City of Loxley the Project Proposal Form to obtain project details for consideration; 2) Staff received the Bay Minette BRATS HVAC assessment in the amount of $45,300 in improvements, Commission authorized staff to proceed with this project.

January 17, 2023 - Roger Rendleman provided an updated project list and discussed the following: 1) Town of Silverhill Water Tank project was deemed eligible by ACCA/IAC; 2) Town of Summerdale Water Tank project was deemed eligible by ACCA/IAC 3) Commission requested notification letters be sent to the ineligible nonprofit applicants; 4) Commission requested the Infirmary Health funding request be a direct recipient to the Healthcare Authority; 5) Commission authorized staff to proceed with the Revenue Commissioner's requests of swipe card access the Bay Minette Office and swipe card access and exterior security camera's at the Robertsdale Appraisal Office (old 911).

January 4, 2023 - Roger Rendleman and Kelley Gillikin provided an updated ACCA project list and discussed the following: 1) Commission requested to allocate "real" ARPA funds to the Town of Silverhill Water Tower project; 2) Commission requested to allocate "real" ARPA funds to the Town of Summerdale Water Tower project; 3) Commission requested to allocate "real" ARPA funds to the Fairhope Courthouse HVAC Improvement project; 4) Commission requested to allocate "real" ARPA funds to the Board of Education HVAC Improvement project; 5) Commission requested to allocate "real" ARPA funds to the Courthouse Outdoor Renovation (Atrium) project; 6) Commission requested to allocate "real" ARPA funds to the Various County Buildings' Partitions; 7) Commission requested to allocate "real" ARPA funds to the AltaPointe PATH Program; 8) Commission requested to allocate "real" ARPA funds to the Child Advocacy Center Nonprofit Application request; 9) Commission requested to allocate "real" ARPA funds to the Electronic Document Management System; 10) Commission requested to allocate "real" ARPA funds to the Old Jail Mental Health Wing; 11) Commission requested to allocate "real" ARPA funds to the JDC Mental Health Cells; 12) Commission requested to allocate revenue replacement funds to the Old Vaughn School Capital Improvements; 13) Commission requested to allocate revenue replacement funds to the Gateway Initiative project; 14) Commission requested to allocate revenue replacement funds to the Infirmary Health Staff Panic Button Badges; 15) Commission requested the Magnolia River Watershed Wetlands and Regional Detention project be removed from the project list; 16) Commission requested the Magnolia Landfill Recycle Facility Touchless Equipment cost to be increased from $4,400,000 to $6,000,000; 17) Commission requested the Building Ionizers be removed from the project list; 18) Commission requested the nonprofit applicants to be removed with the exception of the Child Advocacy Center; 19) Commission requested an additional $350,000 be allocated to the Self-funded Health Insurance Costs; 20) Commission requested the Transportation Costs for South Baldwin Workforce Campus be removed from the project list; 21) Commission requested the funding to inventory and map stormwater facilities within MS4 areas and within the rest of the County be removed from the project list; 22) Commission requested the funding for dirt roads identified in the Environmental Advisory Committee Dirt Road Study be removed from the project list; 23) Commission requested the funding for the County Strategic Plan Strategy for Countywide Water Quality be removed from the project list; 24) Commission requested the funding for the completion of the Perdido Watershed Management Plan be removed from the project list.

December 19, 2022 - Roger Rendleman provided an updated project list and discussed the following:

1) Submit the Town of Summerdale's Water Tower Project to ACCA/IAC for eligibility review; 2) Commission requested staff to proceed with the Fairhope Courthouse HVAC Project in the amount of $669,000 per JMR+H's report; 3) Commission requested three additional facility HVAC assessments for the Bay Minette Courthouse, Foley Courthouse, and Central Annex; 4) Gateway Initiative and the City of Foley briefed the Commission on the South Baldwin Regional Workforce Development Authority Project and Commission requested staff proceed with the $300,000 request from revenue replacement funds; 5) AltaPointe provided a project request update for the PATH Program and Commission requested staff proceed with the $695,527.20 request to fund the project for two annual years; 6) Commission scheduled a special called work session for January 4, 2023, for ARPA-related items.

December 5, 2022 - Staff provided an updated ACCA project list and discussed the following: 1) Boros Road is in the right-of-way acquisition phase; 2) Lehman Road can use the interest earned off of ARPA funds to eliminate staff from overseeing and monitoring the subaward; 3) LaBella has confirmed all six stormwater projects are eligible with "real" ARPA funds. The County Engineer recommended moving forward with the Turberville Bank Stabilization project, and the Surfside Shores Drainage Improvement project; 4) Commission requested staff to remove the $3 million placeholder for broadband; 5) Premium payments are ending this month for eligible employees; 6) Bay Minette Probate Office HVAC project is in the design phase by LaBella; 7) Staff received the Fairhope Courthouse HVAC assessment from Scout that is under review; 8) Magnolia Landfill Recycle Facility Touchless Components is being evaluated by ACCA/IAC staff in coordination with Solid Waste Director, Terri Graham to identify project design features that can be funded with "real" ARPA funds; 9) ACCA/IAC is currently preparing an analysis for the Courthouse Outdoor Renovation project; 10) Commission requested staff proceed with the design cost proposal from PH&J in the amount of $14,200 for the Touchless Restroom Equipment Upgrades; 11) Commission requested staff proceed with the feasibility study cost proposal from PH&J in the amount of $5,000 for the Mental Health Jail Renovations; 12) Commission requested staff proceed with the design cost proposal from PH&J for 6.5% of construction costs for various departments partitions; 13) Scout conducted an on-site evaluation on 11/21/22 at the Old Vaughn School; 14) Commission requested staff to coordinate with AltaPointe staff to attend the 12/19/22 work session; 15) Staff received the following nonprofit applications that are currently under review by ACCA: AltaPointe, Family Promise of Baldwin County, Prodisee Pantry, The Dream Center, Child Advocacy Center, and Feeding the Gulf Coast; 16) The Baldwin Family Village Foundation is currently under legal review regarding the Family Housing Act; 17) BRATS Bay Minette Transit Hub HVAC project was submitted to ACCA for assessment; 18) Commission requested staff proceed with the feasibility study cost proposal from PH&J for the JDC Mental Health Cells in the amount of $1,500; 19) Commission requested staff to proceed with the BCSO revenue replacement request to reimburse the Lexipol Law Enforcement Training expense; 20) Commission requested staff to leave the $3 million placeholder for the Corte Road Extension project until further details are received following right-of-way acquisition; 21) Commission requested staff to coordinate with the Gateway Initiative staff, City of Foley, City of Orange Beach, and the City of Gulf Shores to attend the 12/19/22 work session to discuss this project further; 22) Commission requested staff to proceed with selecting a qualified architect for the Courthouse Security project to design, bid, and oversee construction of the project; 23) Commission requested staff to proceed with calculating the County's Pre-pandemic Staffing Levels; 24) Planning and Zoning staff is awaiting the completion of the Environmental Advisory Committee's Dirt Road Study to identify the top twenty-five dirt roads to bring before the Commission; 25) Commission

requested Probate staff to attend the 12/19/22 work session to provide further details on the Probate Judge Monitors' request; 26) Commission requested staff proceed with revenue replacement funds to the Historic Blakeley State Authority for their pandemic financial hardship.

November 16, 2022 - BCC requested staff provide the update at the December 5, 2022, work session due to time constraints.

October 31, 2022 - Staff provided an updated ACCA project list and discussed the following: 1) LATCF application/acceptance needs to come back to the Commission in advance of 01/31/2023 to meet the Treasury deadline; 2) The Lehman Road documentation has been sent to ACCA/IAC regarding next steps; 3) The Highway Department is obtaining third-party estimates and the demonstration of need for the six stormwater projects; 4) Labella has provided the schedule for the Bay Minette Probate Ventilation project commencing on 10/10/2022; the Fairhope Courthouse assessment is currently pending with ACCA; 5) BRATS is coordinating with Building Maintenance to submit requested forms to ACCA for the evaluation of the Bay Minette transit hub ventilation system; 6) Staff has met with PH&J to discuss a fee proposal for the feasibility study for the touchless restroom facility upgrades; 7) Staff is coordinating with the Purchasing Director on obtaining costs from a pre-qualified vendor for the Jail and JDC padded cells feasibility studies; 8) Commission did not want to move forward with the morgue overflow unit and directed Coroner to continue with the agreements that are in place to handle mass casualty situations; 9) Commission advised that they are in agreement with hiring an architectural and engineering (A&E) firm to design/bid/oversee construction of the other departmental partitions (Revenue, Highway, JDC, and Archives); 10) The Building Inspection partitions were added to the replacement agenda item at the 11/01/2022 meeting; 11) The Old Vaughn School assessment has been scheduled for 11/21/2022 with ACCA, Scout, and the Board of Education; 12) Staff re-sent the non-profit applications on 11/1/22 per Chairman Ball's request; 13) ACCA met will AltaPointe regarding the PATH Program and the update is forthcoming; 14) Commission did not move forward with the BRATS hiring/rehiring employees pre-pandemic request as further discussion is needed; 15) Lexipol needs to come back to the Commission as no decision was made to reimburse the BCSO utilizing Revenue Replacement funds; 16) Commission requested to keep the Corte Road project as a placeholder until the Revenue Replacement budget is confirmed; 17) Commission requested the Gateway Initiative funding be held off until more is known about the City of Foley's property donation; 18) Further information on costs is required for the Probate monitors; 19) The top 25 dirt roads from the dirt road planning study need to be provided to the Commission, and further discussion is required for the other requested planning studies.

October 18, 2022 - Due to limited time, staff provided an abbreviated presentation with decision points / new information only, as follows: 1) Bay Minette Probate Office professional services agreement with Labella Associates approved under the consent agenda for $70,000.00, reducing Resolution #2022-170 approval for $877,307.00 for construction (representing an estimated cost only); 2) Commission approval of professional design services will be requested at an upcoming meeting for touchless restroom upgrades to ensure compliance with the American's with Disabilities Act (ADA), noting that "real ARPA funds" can be used even if cost exceeds previously approved amount; 3) ACCA has confirmed use of revenue replacement funds for a PH&J Architects change order to allow for design services related to a mental health wing at the jail, although a needs assessment will be requested instead (to be considered at an upcoming Commission meeting) so as to evaluate options at the old jail with plans to come back to the Commission once costs are known

so that the project can be bid (inclusive of federal requirements) to allow for use of real ARPA funds; 4) quotes are still pending for partitions at various locations, noting Council on Aging Vaughn Sail Center and Bay Minette Board of Registrars are ready to proceed with Commission approval; 5) AltaPointe / ACCA discussion revealed a need for flexible financial assistance (to address capital needs), pending submittal of an application demonstrating COVID-related hardship and final decision by the Commission (application to be sent); 6) need for further evaluation by ACCA / IAC regarding the PATH Program and potential feasibility of establishing a similar program for Baldwin County to address mental health crisis situations in lieu of incarceration; and 7) ACCA advises that the Gateway Initiative can be funded as a sub-award for $300,000.00 using revenue replacement, with plans to bring this back to the Commission at an upcoming meeting.

October 3, 2022 - Staff provided an updated ACCA project list and discussed the following: 1) Need to verify the Bay Minette Probate Office HVAC project costs (staff confirmed Commission adoption of Resolution #2022-170 allocating $947,307.00 in American Rescue Plan Act funds to provide ventilation system improvements to mitigate the spread of COVID-19 at the Bay Minette Probate Office on September 20, 2022), 2) Commission reiterated the importance of the County facility partitions (staff has contacted four vendors for quotes to meet the federal procurement requirements), 3) The Nonprofit Notice of Funding Opportunity and application were sent to the following nonprofit organizations - Child Advocacy Center, Prodisee Pantry, Feeding the Gulf Coast, The Shoulder, The Landing, Family Promise Historic Blakely Authority, and The Dream Center on September 28, 2022, 4) Need to clarify with ACCA regarding the justification for the Old Vaughn School's capital improvements for a vaccination site (staff has outreached ACCA to follow-up on justification), 5) Staff is identifying the County restrooms that are shared by staff and the public for touchless equipment upgrades, 6) Commission requested the Baldwin Family Village project be submitted to ACCA for review (staff submitted to ACCA on October 3, 2022), 7) Commission requested staff coordinate with the Family Promise Director to contact Path to assist with recommendations for Alta Pointe (this correspondence was sent on October 5, 2022).

September 20, 2022 - Staff provided an updated ACCA project list and discussed the following: 1) Need to reclass expenses for Cleanstrike and Motorola to "real ARPA funds" from Revenue Replacement (per ACCA / IAC recommendation), 2) Need to send out updated "red list" of ineligible/lower priority projects to the Commission, 3) Commission approval for ACCA / IAC to coordinate directly with AltaPointe for potential project identification, 4) Board of Education ventilation project will remain on hold (pending discussions) and Fairhope Courthouse will be submitted for ACCA/IAC ventilation assessment with Probate Office A&E hiring recommendation forthcoming, 5) Need to assess use of Old Vaughn School as a vaccination / testing site and possible evacuation/storm shelter, 6) Need for evaluation of shared public / staff restroom facilities for touchless equipment upgrades, 7) Need to evaluate potential assistance for nonprofit organizations previously requesting aide (i.e., Child Advocacy Center, Prodisee Pantry, Feeding the Gulf Coast, & Alabama Firefighters Training Foundation) as well as other organizations (i.e., The Shoulder, The Landing, Family Promise Historic Blakely Authority, and The Dream Center), and 8) Request by Solid Waste for ACCA / IAC review of five specific Recycle Center costs for possible eligibility using "real ARPA funds".

September 6, 2022 - Staff presented an overview of the current project list. The presentation included a discussion of ventilation improvements for Probate Office and Board of Education facilities, the

distribution of nonprofit policies/procedures and application packet to Commissioners, the need to reevaluate previously approved projects prior to fiscal year-end, and future ARPA review/reporting processes to include participation by other department heads.

FINANCIAL IMPACT

Total cost of recommendation: $61,674 (6.5% of construction cost to architect, not to exceed $948,830.00 from American Rescue Plan Act funds).

Budget line item(s) to be used: 29970010.51990

If this is not a budgeted expenditure, does the recommendation create a need for funding?
Yes. Upon approval of allocation and adoption of stated resolution, Budget Director to make necessary transfer of funds.

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?
Approved by County Attorney 04/20/2023. Awaiting Resolution review/approval by ACCA/IAC as of 5/9/2023.

Reviewed/approved by: N/A

Additional comments: N/A

ADVERTISING REQUIREMENTS

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Is advertising required for this recommendation? N/A

If the proof of publication affidavit is not attached, list the reason: N/A

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up: Administration mail correspondence, Resolution, and Agreement. Finance and Accounting Staff enter project in Munis. Budget Staff to prepare budget transfer.

Action required (list contact persons/addresses if documents are to be mailed or emailed):
Attn: Mr. Patrick Addison
PH&J Architects, Inc.
807 S. McDonough Street
Montgomery, Alabama 36104

Additional instructions/notes: N/A