



# Baldwin County Commission

## Legislation Text

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**File #:** 22-1503, **Version:** 1

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**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 9/20/2022

**Item Status:** New

**From:** Cian Harrison, Clerk/Treasurer

**Submitted by:** Kathy McHugh, Grants Administrator

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### **ITEM TITLE**

Allocation of American Rescue Plan Act (ARPA) Funds for Ventilation System Improvements in Bay Minette Probate Office

### **STAFF RECOMMENDATION**

Adopt Resolution 2022-170 allocating \$947,307.00 in American Rescue Plan Act (ARPA) funds to provide ventilation system improvements to mitigate the spread of COVID-19 at the Bay Minette Probate Office located at 220 Courthouse Square, Bay Minette, Alabama.

### **BACKGROUND INFORMATION**

**Background:** As part of the services being provided through the Association of County Commissions of Alabama (ACCA) Investing in Alabama Counties (IAC) Program, as approved by the Commission on December 7, 2021, the County submitted the Probate Office for initial assessment by JMR+H Architecture, PC and Whorton Engineering, Inc. (i.e., ACCA/IAC Assessment Team) on December 14, 2021. The purpose of the initial assessment was to identify ventilation improvements which would be needed in order to mitigate the spread of COVID-19. The on-site inspection of the Probate Office located at 220 Courthouse Square in Bay Minette was performed by the ACCA/IAC Assessment Team on June 10, 2022, with the Assessment Report being provided to the County on July 18, 2022.

The Assessment Report (attached hereto) includes a description of existing equipment along with an explanation of the assessment process, site investigation, and recommendations as well as a cost estimate of priority upgrades and the site visit report. Proposed improvements were identified to bring the ventilation system into compliance with the core guidelines and recommendations for mitigating the spread of COVID-19 in accordance with the Centers for Disease Control. As estimated, the cost to make all priority improvements (as recommended) would be \$667,000.00; however, this amount has been increased by thirty percent (30%) to allow for anticipated inflationary cost increases, as well as \$80,207.00 for architectural / engineering (A&E) costs associated with design and construction management (pursuant to A&E fees provided in response to the RFP issued by ACCA/IAC).

**Previous Commission action/date:** September 6, 2022 - Approved Resolution #2022-163

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amending Resolutions #2022-102 (as previously approved on 06-07-2022) and #2022-158 (as previously approved on 08-16-2022) to eliminate and terminate Temporary Premium Pay (TPP) Payments for certain eligible exempt employees whose total wages and remuneration are greater than, or would become greater than as a result of TPP payments, 150% of the higher of Alabama's or Baldwin County's (i.e., Daphne-Fairhope-Foley MSA) average annual wage for all occupations as defined by the most recent Bureau of Labor Statistics' (BLS) Occupational Employment and Wage Statistics (BLS Threshold), which at the time of Resolutions #2022-102 and #2022-158 was \$72,165.00, to be effective immediately.

August 16, 2022 - Approved terminating the appropriation of ARPA funds previously approved by resolution of the Commission, including funds appropriated by Resolution #2022-102 for a temporary premium pay program, effective December 31, 2022.

June 7, 2022 - Approved the allocation of the following ARPA project:

To provide Temporary Premium Pay Program to eligible County Commission and Baldwin County Sheriff's Office employees as additional compensation, for the first full pay period of each month, effective July 4, 2022, in the amount of \$8.66 per regular hour, and \$12.99 per overtime hour. The monthly payments will be capped at \$700.00 for full-time employees and \$500.00 for part-time employees, with a lifetime cap of \$25,000.00. TPP payments will include full-time employees and part-time employees only and will end on December 31, 2024, contingent upon the continued need to perform essential work during the COVID-19 public health emergency and continued appropriation and availability of ARPA funds for this purpose, subject to the Commission's discretion. The approval also included funding from other County funds for those eligible exempt employees' total wages and remuneration are greater than or would become greater than as a result of TPP payments, \$72,165 which is 150% of the higher of Alabama's or Baldwin County's (i.e., Daphne-Fairhope-Foley MSA) average annual wage for all occupations as defined by the most recent Bureau of Labor Statistics Occupational Employment and Wage Statistics.

January 18, 2022 - Acceptance of ARPA funds for Lost Revenue due to COVID-19 pandemic: The Final Rule offered a standard allowance for revenue loss of \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. The standard allowance may be used for government services, with streamlined reporting requirements; however, this is a one-time irrevocable selection.

December 7, 2021 - Approved the allocation of the following ARPA project:

Execute the Association of County Commissions of Alabama Investing in Alabama Counties Program Maintenance and Support Membership Agreement between the Baldwin County Commission and the Association of County Commissions of Alabama (ACCA) for participation in the Association's Investing in Alabama Counties Program.

A flat fee of 6% on the first \$7 million in funds to be received and 4% on any funds to be received in excess of \$7 million, excluding funds designated as Revenue Loss as defined by Treasury's Interim Final Rule. In no case, however, shall the fee be less than 3% of the total funds received by the County, regardless of the amount of funding designated as Revenue Loss.

December 7, 2021 - Approved the allocation of the following ARPA project:

Temporary Premium Pay - To provide premium pay to eligible Baldwin County Commission and Baldwin County Sheriff's Office employees as additional compensation in the amount of \$12.50 per hour, up to \$1,000.00, for full-time employees and \$12.50 per hour, up to \$725.00, for part-time employees. The designated pay period will be pay period ending December 19, 2021, to be paid concurrently with the regular payroll.

October 19, 2021 - Approved the allocation of the following ARPA project:

Funds for air-surface hospital grade disinfectant backpack foggers:

Baldwin County Commission Facilities \$141,898.20

Baldwin County Sheriff's Office Facilities \$37,872.50

Total Cost: \$179,770.70

August 3, 2021 - Approved the allocation of the following ARPA project:

Boros Road Bowl Est: \$1,122,256.00

10% Contingency Est: \$112,225.00

10% Administrative Costs Est: \$112,225.00

Total Estimated Cost: \$1,346,706.00

July 6, 2021 - Approved the allocation of the following ARPA project:

Magnolia Landfill Recycling Facility Est: \$5,500,000.00

10% Contingency Est: \$550,000.00

10% Administrative Costs Est: \$550,000.00

Total Estimated Cost: \$6,600,000.00

June 15, 2021 - Approved the allocation of the following ARPA projects:

COA Main Office COVID Upgrades Est: \$11,875.00

Baldwin Together Case Manager Est: \$25,000.00

Tyler Technologies Software Training Est: \$28,000.00

Countywide Touchless Bathroom Equipment Est: \$80,459.00

Set aside for Nonprofits Est: \$100,000.00

Ionizer in Buildings Est: \$175,000.00

Document Library Est: \$285,000.00

BCSO Hazard Pay and Law Enforcement Est: \$400,000.00

Motorola Projects (2) Est: \$469,181.00

10% Contingency Est: \$157,451.50

10% Administrative Costs Est: \$157,451.50

Total Estimated Cost: \$1,889,418.00

June 1, 2021 - Approved the following action:

Agreement for Coronavirus State & Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 (ARPA), between the U.S. Department of the Treasury and the Baldwin County Commission, which was executed by the Baldwin County Commission Chairman, Joe Davis III, on May 18, 2021, and made part of the June 1, 2021, Baldwin County Commission regular meeting minutes.

February 2, 2021 - Approved the following action:

Contract for Professional Services with Hagerty Consulting, Inc., for the Baldwin County Emergency Management Consulting and Contract Services for Response, Recovery, Mitigation, Preparedness, and Planning based on a time and materials cost with an initial cost not to exceed cost of \$1,500,000.00. Task Order of \$100,000 was issued for ARPA related tasks.

### **FINANCIAL IMPACT**

**Total cost of recommendation:** \$947,307.00 ARPA Funds

**Budget line item(s) to be used:** 29970010.55240.

**If this is not a budgeted expenditure, does the recommendation create a need for funding?**

Yes, request for budget resolution has been submitted to Ron Cink, Budget Director/Interim County Administrator 09/08/2022.

### **LEGAL IMPACT**

**Is legal review necessary for this staff recommendation and related documents?**

Yes

**Reviewed/approved by:** Brad Hicks, County Attorney (approved 09/13/2022) / km

**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:** Finance and Accounting Staff & Budget Staff

**Action required (list contact persons/addresses if documents are to be mailed or emailed):**

Finance and Accounting staff enter project in Munis. Budget staff prepare ARPA budget resolution.

**Additional instructions/notes:** N/A