



# Baldwin County Commission

## Legislation Text

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**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 5/2/2023

**Item Status:** New

**From:** Ronald J. Cink, Budget Director/Interim County Administrator; Brian L. Underwood, Grants Director

**Submitted by:** Anna Buford, Grants Administrator

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### **ITEM TITLE**

Allocation of American Rescue Plan Act (ARPA) Funds for Baldwin County Commission Staff Administrative Costs

### **STAFF RECOMMENDATION**

Approve the allocation of "real" American Rescue Plan Act (ARPA) funds in the amount of \$12,006.43 to cover direct administrative costs for Baldwin County Commission staff from January 1, 2023, through March 31, 2023.

### **BACKGROUND INFORMATION**

**Background:** The Final Rule issued by the U.S. Department of Treasury on January 6, 2022, details a number of administrative processes and requirements. Funds may be used for direct and indirect administrative expenses involved in administering the program. Direct administrative costs encapsulate ARPA-specific personnel costs across multiple departments, including Finance / Accounting, Budgeting, Highway, CIS, Solid Waste, EMA, Purchasing, and Grants. These costs are specific to personnel involved in the planning, administration and implementation of various projects as approved by the Commission.

### **Previous Commission action/date:**

April 18, 2023 - The BCC approved the following projects: 1) staff recommendation was approved to develop a Resolution increasing the Turberville Lane Drainage Improvements budget by \$233,750.97 out of unallocated ARPA funds, due to bids exceeding initial project budget. 2) Adopted Resolution #2023-063 allocating ARPA funds for Baldwin County BOE Building Ventilation System Improvements. 3) Adopted Resolution #2023-064 allocating ARPA funds for Baldwin County Fairhope Satellite Courthouse Ventilation System Improvements.

April 4, 2023 - The BCC approved the following projects: 1) Approved and authorized the Chairman to execute the pre-award letter to the City of Loxley for completion of the sub-recipient pre-award questionnaire for the ARPA-funded Water Capacity Improvements Project. 2) Approved the allocation of American Rescue Plan Act (ARPA) funds in the amount of \$12,135.33 to cover legal costs incurred by the Baldwin County Commission through Stone Crosby, P.C. from January 1, 2023, through March

31, 2023. 3) 1) Adopted Resolution #2023-065 of the Baldwin County Commission allocating up to \$695,346.00 of ARPA funds to AltaPointe Health for the Assisted Outpatient Treatment Program; and approved and authorized the Chairman to execute the sub-recipient contract with AltaPointe Health.

March 7, 2023 - The BCC approved the following project: 1) Awarded Bid #WG23-17 - Outfit of the Magnolia Material Recovery Facility to the lowest bidder, Green Machine Sales, LLC, in the total bid amount of \$3,656,805.00 as per the Award Listing and authorized the Chairman to execute the Contract.

February 24, 2023 - The BCC approved the following projects: 1) Approved and authorized Chairman to execute the conditional award letter to the CARE House, Inc. (Baldwin County Child Advocacy Center); and adopted Resolution #2023-067 of the Baldwin County Commission allocating up to \$51,815.00 of “real” ARPA funds to the CARE House to mitigate financial hardship caused by the COVID-19 pandemic. 2) Approved the Implementation Policies and Procedures for Nonprofit Assistance Projects using ARPA funds; and adopted Resolution #2023-068 of the Baldwin County Commission for adoption of the Implementation Policies and Procedures for Nonprofit Assistance Projects.

February 7, 2023 - The BCC approved the following projects: 1) Approved and authorized staff to pay Gulf Coast Media for the Public Meeting Legal Notice in the amount of \$240.56 of ARPA Revenue Replacement funds; and adopted Resolution #2023-056 of the Baldwin County Commission allocating up to \$300,000.00 of ARPA Revenue Replacement funds to the South Baldwin Workforce Development Authority; and approved and authorized the Chairman to execute the Agreement between the Baldwin County Commission and the South Baldwin Workforce Development Authority for ARPA funding to support an economic development project. 2) Approved the allocation of “real” American Rescue Plan Act (ARPA) funds in the amount of \$77,439.00 to cover prior COVID-19 related expenses for Symbol Health Clinic claims and Blue Cross Blue Shield of Alabama / MedOne healthcare claims from October 1, 2022, through December 31, 2022. 3) Adopted Resolution #2023-059 of the Baldwin County Commission allocating up to \$317,400.00 of ARPA Revenue Replacement funds to the Baldwin County Eastern Shore Health Care Authority for the implementation, setup, and training expenses of a crisis alert system in Baldwin County Infirmary Health facilities. 4) Approved the Implementation Plan for Water and Sewer Infrastructure Projects using ARPA Funds; and adopted Resolution #2023-057 of the Baldwin County Commission for adoption of the Implementation Plan for Water and Sewer Infrastructure Projects. 5) Approved and authorized Chairman to execute the pre-award letter to the Town of Silverhill for completion of the sub-recipient pre-award questionnaire for the ARPA-funded Water Tower Project. 6) Approved and authorized Chairman to execute the pre-award letter to the Town of Summerdale for completion of the sub-recipient pre-award questionnaire for the ARPA-funded Water Tower Project. 7) Approve and authorize Chairman to execute the pre-award letter to AltaPointe Health for completion of the sub-recipient pre-award questionnaire for the ARPA-funded Assisted Outpatient Treatment Program.

January 17, 2023 - The BCC approved the following projects: 1) Approved the allocation of “real” American Rescue Plan Act (ARPA) funds in the amount of \$18,564.09 to cover direct administrative costs for Baldwin County Commission staff from October 1, 2022, through December 31, 2022. 2) Approved and authorized 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 Protective Partitions in various Baldwin County Commission facilities. 3) Approved the allocation of interest earned from the American Rescue Plan Act (ARPA) funds in the amount of \$10,084.00 to East Central Baldwin County Water, Sewer, and Fire Protection Authority for the Lehman Road project; and approved payment to the East Central Baldwin County Water, Sewer, and Fire Protection Authority in the amount of \$10,084.00 for the Lehman Road Project; and adopted Resolution #2023-039 of the Baldwin County Commission allocating up to \$10,084.00 of interest earned from the American Rescue Plan Act (ARPA) funds to East Central Baldwin County Water, Sewer, and Fire Protection Authority for the Lehman Road project. 4) 1) Rejected all the proposals received for the Request for Proposals (RFP) for the Engineering of Magnolia Material Recovery Facility Equipment Design, Procurement, and Installation; and authorized the Purchasing Director to advertise the competitive bid as required in Code of Alabama Title 39 Public Works Law, or Title 41 Competitive Bid Law, after final approval of the appropriate statute and bid documents by the Association of County Commissions of Alabama (ACCA) and the County Attorney.

December 20, 2022 - The BCC approved the following projects: 1) Approved Resolution #2023-041 - Allocation of American Rescue Plan Act (ARPA) Revenue Replacement Funds for the Lexipol, LLC, Law Enforcement Training in the amount of \$69,995.80. 2) Approved Resolution #2023-042 - Allocation of American Rescue Plan Act (ARPA) Revenue Replacement Funds to the Historic Blakeley State Park Authority in the amount of \$46,000.00. 3) Approved Resolution #2023-043 - Allocation of American Rescue Plan Act (ARPA) Funds for the Surfside Shores Drainage Improvement Project in the amount of \$2,763,273.00. 4) Approved Resolution #2023-044 - Allocation of American Rescue Plan Act (ARPA) Funds for the Turberville Bank Water Infrastructure Project in the amount of \$700,734.00. 5) Approved Resolution #2023-045 - Allocation of American Rescue Plan Act (ARPA) Revenue Replacement Funds for Novelis South Access Road Construction in the amount of \$1,000,000.00. 6) Approved the Fund Allocation Application to the U.S. Department of the Treasury for the Local Assistance and Tribal Consistency Fund (LATCF). 7) Approved the Quote for Architectural Services for a Feasibility Study to Scope the Design and Installation of Touchless Upgrades to Various Baldwin County Commission Facilities in the amount of \$14,200.00 with PH&J Architects, Inc. 8) Approved the Quote for Architectural Services for a Feasibility Study Relating to a New Mental Health Holding Area at the Baldwin County Corrections Center Located in Bay Minette, Alabama for the Baldwin County Commission in the amount of \$5,000.00 with PH&J Architects, Inc. 9) Approved the Quote for Architectural Services for a Feasibility Study Relating to a New Mental Health Holding Area at the Baldwin County Juvenile Detention Center Located in Bay Minette, Alabama for the Baldwin County Commission in the amount of \$1,500.00 with PH&J Architects, Inc. 10) Approved the Purchasing Director to place a competitive bid for the Surfside Shores Drainage Improvements Project. 11) Approved the Purchasing Director to place a competitive bid for the Turberville Lane Drainage Improvements Project.

December 5, 2022 - Awarded the quote to the lowest bidder, One Cut Glass, LLC, in the amount of \$49,327.00 for the Purchase and Installation of Partitions in the Building Inspection Department located at the Central Annex in Robertsedale, Alabama, and authorized the Chairman to execute the Contract for Public Works Services and Certificate of Compliance for Public Works Services.

November 1, 2022 - The BCC approved the following projects: 1) Approved the allocation of “real”

American Rescue Plan Act (ARPA) funds in the amount of \$50,460.00 for the installation of partitions at the Council on Aging Vaughn S.A.I.L. Center (\$1,133.00) and the Building Inspection Department located at Central Annex in Robertsedale, Alabama (\$49,327.00); 2) Approved the allocation of “real” American Rescue Plan Act (ARPA) funds in the amount of \$37,149.65 to cover direct administrative costs for Baldwin County Commission Staff through September 30, 2022; 3) Approved the allocation of “real” American Rescue Plan Act (ARPA) funds in the amount of \$91,400.00 to cover prior COVID-19 related expenses for Symbol Health Clinic claims and Blue Cross Blue Shield of Alabama / MedOne healthcare claims from July 1, 2022, through September 30, 2022.

October 18, 2022 - The BCC adopted Resolution #2023-012 allocating up to \$70,000.00 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; and authorized the Professional Services Agreement between Labella Associates D.P.C. for architectural and engineering (A&E) costs associated with full architectural and design services related to the ventilation system improvements for the Bay Minette Probate Office. This item was previously pulled from the October 4, 2022, agenda.

October 4, 2022 - Staff pulled item 23-0008 due to the Professional Services Agreement pending legal review.

September 6, 2022 - The BCC adopted Resolution #2022-163 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 - The BCC 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 - The BCC approved the allocation of the following ARPA project:  
To provide a 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 - The BCC accepted 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 - The BCC 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 - The BCC 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 - The BCC 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 - The BCC 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 - The BCC 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 - The BCC 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 - The BCC 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 - The BCC 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. A Task Order of \$100,000 was issued for ARPA related tasks.

## **FINANCIAL IMPACT**

**Total cost of recommendation:** \$12,006.43 from American Rescue Plan Act funds

**Budget line item(s) to be used:** 29970010.51140

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

Yes, request for budget resolution has been submitted to Ronald J. Cink, Budget Director/Interim County Administrator 04/20/2023.

## **LEGAL IMPACT**

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

N/A

**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: N/A.

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

Additional instructions/notes: N/A