

**RESOLUTION 2023-12
TO AWARD BID
FOR COURTHOUSE VENTILATION PROJECT**

WHEREAS, Cullman County, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, ARPA funds may be used for ventilation projects designed to mitigate and prevent COVID-19 in public buildings ("eligible COVID-19 ventilation projects"); and

WHEREAS, the Cullman County Commission (the "Commission") has identified, with assistance from an independent consultant, an eligible COVID-19 ventilation project at the Cullman County Courthouse ("the project"); and

WHEREAS, the Commission has determined that using ARPA funds to cover the reasonable costs of the project is a necessary, eligible, and reasonable use of these funds; and

WHEREAS, in accordance with applicable state and federal competitive procurement requirements, the Commission entered into a contract with JMR+H to provide architectural services related to the implementation of the project ("the contract"); and

WHEREAS, the project was let for bid in accordance with applicable state and federal law; and

WHEREAS, only one bid was submitted in response to this invitation to bid by Stateline Mechanical LLC with a bid total of \$3,910,000; and

WHEREAS, the single bidder's total bid exceeded the established budget for the project; and

WHEREAS, under Ala. Code 1975, §41-16-50, as a result of the submission of only one bid for the project, the Commission may reject the bid and approve instead a negotiated contract price that is less than the original bid price; and

WHEREAS, based upon the recommendation of JMR+H, attached as an exhibit to this Resolution, the Commission desires to reject the original bid submitted by Stateline Mechanical LLC and accept the lower contract price of \$3,385,000 negotiated on behalf of the Commission by JMR+H pursuant to its authority under the contract; and

WHEREAS, based on the recommendation of JMR+H, the Commission has determined that the negotiated contract price is reasonable and necessary for the implementation of the project and that the work to be performed at the reduced, negotiated contract price is substantially the same as the scope of work included in the original bid specifications.

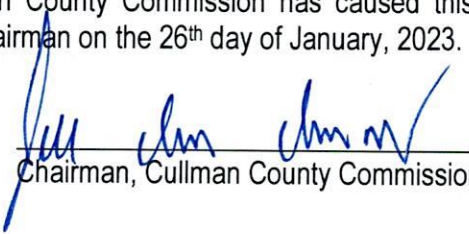
NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

1) The Commission hereby rejects the bid originally submitted by Stateline Mechanical LLC in the amount of \$3,910,000.

2) The Commission hereby approves the negotiated contract price for the project with Stateline Mechanical LLC in the amount of \$3,385,000 and the allocation of a portion of the County's ARPA funds to cover the contract amount.

3) Expenditure of the funds allocated herein, shall be contingent on ongoing compliance with applicable state and federal procurement requirements, as well as the continued appropriation and availability of ARPA funds for this purpose. In no event shall funds allocated herein be used for any costs associated with the project that are not obligated on or before December 31, 2024 and expended on or before December 31, 2026.

IN WITNESS WHEREOF, the Cullman County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 26th day of January, 2023.



Chairman, Cullman County Commission

JMR+H
Architecture, PC

January 20, 2023

Mr. Jeff Clemons, Chairman
Cullman County Commission
500 2nd Ave SW
Cullman, AL 35055

**Re: Cullman County Courthouse HVAC Upgrades
Cullman, Alabama**

Dear Mr. Chairman,

As you are aware, we received sealed bids on the above referenced project on December 15, 2022 at 2:00 PM. One (1) bidder responded as outlined on the attached Certified Bid Tabulation.

The single and apparent low bidder is Stateline Mechanical, LLC of Woodland, Alabama with a Bid Total of **\$3,910,000.00.**


The single bidder's total bid exceeded the established budget amount for this project. According to Alabama Code Title 41, §41-16-50, *"In the event only one bidder responds to the invitation to bid, the awarding authority may reject the bid and negotiate the purchase or contract, providing the negotiated price is lower than the bid price."* Therefore, the Architect recommends that the Cullman County Commission hereby reject any and all bids for this project and negotiate the contract with Stateline Mechanical at a lower price than the bid price. The negotiated price from Stateline Mechanical LLC is attached herein and is summarized as follows: Base Bid \$3,910,000.00 less deduct amount of \$ 525,000.00 for a **TOTAL Contract Price of \$3,385,000.00.** In considering the negotiated price, Architect is of the opinion that the work to be performed at the reduced cost is substantially the same as the scope of work in the bid specifications and does not materially alter the project.

Please review the attached information with the County Legal Counsel and advise us if you authorize Notice to Proceed and contract execution as well as a Pre-Award Conference at your earliest convenience.

Thank you for your consideration of this matter, we await your direction.

Best regards,

JMR+H Architecture, PC



Kevin B. Baughn
Principal

CULLMAN COUNTY COURTHOUSE HVAC UPGRADES
CULLMAN, ALABAMA
Bids Received: Cullman County Commission,
500 Second Avenue, S.W., Room 105
Cullman, Alabama 35055

Bid Date: December 15, 2022
2:00 PM

Staline Mechanical, LLC
1130 County Road 438, Woodland, AL 36280

AL License No.: 50575
Bid Bond By: Granite Re, Inc.
NOTATIONS: Add \$15,000

- ITEMS RECEIVED
- Proposal Form
- Bid Bond
- List of Subcontractors
- Unit Price Attachment
- Immigration Status
- E-Verify
- Disclosure Statement
- Acknowledged Addenda 1 - 3

P&M Mechanical, Inc.
325 Carson Road N, Birmingham, AL 35215

AL License No.:
Bid Bond By:
NOTATIONS:

- ITEMS RECEIVED
- Proposal Form
- Bid Bond
- List of Subcontractors
- Unit Price Attachment
- Immigration Status
- E-Verify
- Disclosure Statement
- Acknowledged Addenda 1 - 3

	BIDS	NOTATIONS	SUBTOTALS	BIDS	NOTATIONS	SUBTOTALS
BASE BID	\$3,895,000.00	\$15,000.00	\$3,910,000.00		NO BID	
TOTAL	\$3,895,000.00		\$3,910,000.00	\$0.00		\$0.00

I certify that the above bids were received sealed and were publicly opened and read aloud at the time and place indicated and that this is a true and correct tabulation of all bids received for this project.

Smiley Melodie mays 150 ay of December 2022

Smiley Melodie Mays

Renee M. Williams

My Commission expires 1/20/26

JMR+H
Architecture PC

Kevin Baughn

Kevin Baughn, Principal



STATELINE MECHANICAL

HVAC SERVICE & INSTALLATION

1130 COUNTY ROAD 438
WOODLAND, AL 36280

TEL 770/841-2875
FAX 256/449-9271

ALABAMA LICENSE # 05107

PROPOSAL C-7802

JOB NAME: CULLMAN COUNTY COURTHOUSE

REVISED

CULLMAN, AL

January 19, 2023

We hereby submit to perform all work as per our Proposal for Cullman County Courthouse.

WE PROPOSE to furnish materials and labor – complete in accordance with these specifications for the sum of:

BASE BID: THREE MILLION NINE HUNDRED TEN THOUSAND AND NO/100 DOLLARS (\$3,910,000).

Sales Tax is NOT Included: BASE BID \$104,852

DEDUCTIONS –

Controls deduction – remove the one RTU from control system and put programmable thermostat only

Ceilings/floors/painting/sheetrock (different contractor pricing)

No job office trailer

No sprinkler company for any relocating of existing pipe

And took some labor off

DEDUCT \$525,000

Revised Base Bid Price with Deductions – THREE MILLION THREE HUNDRED EIGHTY FIVE THOUSAND AND NO/100 DOLLARS (3,385,000)

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders & will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workers Compensation Insurance.

Authorized Signature William B. Kittle

William B. Kittle

NOTE: This proposal may be withdrawn by us if not accepted within 60 days

ACCEPTANCE OF PROPOSAL: The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work specified. Payment will be made as outlined.

SIGNATURE _____
(Print Name) _____