

**Build America, Buy America Act (BABAA) requirements under
Title IX of the Infrastructure Investment and Jobs Act (“IIJA”), Pub. L. 177-58**

This agreement is for services related to a project that is subject to the Build America, Buy America Act (BABAA) requirements under Title IX of the Infrastructure Investment and Jobs Act (“IIJA”), Pub. L. 177-58. Absent an approved waiver, all iron, steel, manufactured products, and construction materials used in this project must be produced in the United States, as further outlined by the Office of Management and Budget’s Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure, April 18, 2022.

Build America, Buy America Material Certification

The “Buy America Certification Form” is used to certify that, as required by federal law, all of the iron, steel (for FY23 funded projects forward), specific construction materials – non-ferrous metals, lumber, composite building materials, plastic and polymer-based pipe and tube, (for FY24 funded projects and forward), all construction materials, including manufactured products (for FY25 funded projects and forward) utilized in federally funded projects with an aggregate of \$250,000 or more funds, including HUD CDBG funds, are produced in the United States in a manner that complies with the Build America, Buy America Act*, unless an applicable waiver applies or is granted by the Made in America Office of Management and Budget (MIAO).

BABA guidance requires the following Buy America preference:

All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States for FY2023 funded projects forward; and, for FY2024 funded projects forward;

All listed manufactured products used in the project are produced in the United States. This means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and, for FY2025 funded projects forward;

All (listed and non-listed) construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

I hereby certify the materials installed/to be installed pursuant to the attached Submittal conform to the Build America, Buy America Provisions. Signing this document does not alleviate the signee of providing evidence of such a request. I hereby certify that the information provided on this form is true and accurate.

Contract Name_____

Authorized Representative (Print)_____

Signature_____

Company_____

Representing (Contractor, supplier, manufacturer, etc.)_____

Phone Number_____

Email_____

Responsible Contractors, manufacturers, and suppliers certify materials with the understanding that those certifying the material assume full legal responsibility for the material and are subject to providing documentation verifying the material meets all requirements upon demand.

Design Teams and/or Architects signed or stamped acceptance of the attached submittal declares the submittals and accompanying materials meet BABA requirements.

* The Project is subject to the Build America, Buy America Act (BABAA) requirements under Title IX of the Infrastructure Investment and Jobs Act (“IIJA”), Pub. L. 177-58. Absent an approved waiver, all iron, steel, manufactured products, and construction materials used in this project must be produced in the United States, as further outlined by the Office of Management and Budget’s Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure, April 18, 2022.