



BABA Compliance Update

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Agenda



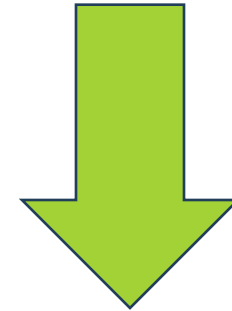
- **Changes**
- **Timeline for Implementation**
- **New Forms**
- **Maintaining Evidence of Compliance**
- **Q&A and Feedback**

└ Changes

- **New Forms**
 - Bidder's BABA Certification
 - BABA Sample Bid Form
 - Contractor and Subcontractor BABA Certification
- **Contract Transmittal Form Updated**
- **Phased Implementation Ended**
 - Iron and Steel, Construction Materials
 - Specifically Listed: Construction Materials & Not Listed: Construction Materials
 - Manufactured Products are subject to BAP for FY 2025 forward

Timeline for Implementation

Current Workshop:
January 12, 2026



Beginning February 1, 2026, updated forms are required for all contracts where BABA applies.

ITEMS INCLUDED WITH CONSTRUCTION CONTRACT SUBMISSION

- 1. Description of Method of Procurement _____
- 2. Affidavit of Publication/Advertised Solicitation of Bids/Direct Solicitation Documentation _____
- 3. Addenda _____
- 4. Low Bidder's Itemized Bid Form with Unit Pricing _____
- 5. Itemized Bid Tabulation/Summary Certified by Engineer _____
- 6. Letter of Recommendation to Award Contract by Engineer/Architect (including *whether all bids are responsive, whether alternates are accepted, explanation of bid discrepancies and how cost reasonableness was determined*) _____
- 7. Complete, Unexecuted Agreement (showing contractor name, contract period, total cost and liquidated damages amount) _____
- 8. Contract Documents (Technical Specs, Wage Determination, General Provisions, CDBG Special Provisions) _____
- 9. Project Drawings or Layout (infrastructure plans, building layout, etc.) _____
- 10. Debarment Certification _____
- 11. Verification that the selected contractor is registered in SAM and not on the Excluded Parties list (accessed at www.sam.gov) _____
- 12. Updated Section 102 Disclosure Form (If Grantee receives \$200,000+) _____
- 13. Section 3 Forms (if Grantee receives CDBG of \$200,000+) _____
- 14. SC Illegal Immigration Reform Act Contractor Certification Form _____
- 15. Architect/Engineer Certification of Accessibility (if applicable) _____
- 16. Acquisition Certification (Grantee and/or subrecipient letter certifying no acquisition required or all acquisition is complete, consistent with URA, and deeds/easements have been recorded) _____
- 17. Budget Revision & Commitment Letter (if sufficient funds are not in budget to cover contract) _____
- 18. Bidder's BABA Certification (if applicable) _____

Contract Transmittal Form Revision

└ New Forms

Bidder's BABA Certification *(Required)*

A signed and completed copy of this document is required from all bidders submitting bids on projects subject to BABA.

Bidder's Build America, Buy America Act (BABA) Certification	
Grant Number _____	
Project Name _____	
Federal Funding Agency _____	
This project is subject to the Build America, Buy America Act (BABA) requirements under Title IX of the Infrastructure Investment and Jobs Act ("IIJA"), Pub. L. 117-58. Absent an approved waiver, all iron, steel, manufactured products, and construction materials used in this project must be produced in the United States. This means that all manufacturing processes, from the initial melting stage through the application of coatings for iron and steel, and all manufacturing processes for manufactured products and construction materials, must occur in the United States. Documentation of BABA compliance must be provided by the contractor for all iron, steel, manufactured products, and construction materials used in the project. Written evidence from the manufacturer or supplier will be required that identifies the item purchased; affirms the location of manufacture as within the United States; and is signed by an authorized company representative. Additional guidance on BABA compliance, waivers, and documentation requirements is provided in HUD Notice CPD-25-01, "Implementation of Build America, Buy America Requirements for HUD Federal Financial Assistance Programs" (January 17, 2025). <i>As a bidder for the project listed above, I certify that I have read, understand, and will comply with the "BABA" provisions as required by federal law. Furthermore, I understand that BABA provisions apply to any and all portions of this project, including subcontracted portions and that I certify to the best of my knowledge and belief that I will identify domestic sources of BABA covered products, provide verification documentation for BABA compliance, and when needed provide waiver documentation per current guidance.</i> <i>I further agree that I will complete and submit the Contractor & Subcontractor Build America, Buy America Act (BABA) Certification prior to the processing of any request for final payment.</i> <i>I understand that a false statement on this certification may be grounds for rejection or termination of any award.</i>	
Signature of Bidder _____	Date _____
Printed Name and Title of Bidder _____	
Name of Bidder's Company _____	
Bidder's Company Address _____	
Bidder's Telephone Number _____	

New Forms

BABA Sample Bid Form

All Bid Forms must indicate where the items are produced.

BID FORM							
Company Name							
City, State							
Phone #							
Email Address							
Contact Name							
Item No.	QTY	Unit	Description	Unit Price	Total Costs	Production location, In the U.S.A.	Production location, other than U.S.A.
Total							

NOTICE TO BIDDERS:

This project is subject to the Build America, Buy America Act (BABA) requirements under Title IX of the Infrastructure Investment and Jobs Act ("IIJA"), Pub. L. 117-58. Absent an approved waiver, all iron, steel, manufactured products, and construction materials used in this project must be produced in the United States.

This means that all manufacturing processes, from the initial melting stage through the application of coatings for iron and steel, and all manufacturing processes for manufactured products and construction materials, must occur in the United States. Any request for substitute or "or equals" shall include the Manufacturer's Certification of compliance with the Build America, Buy America Act (BABA) requirements.

Documentation of BABA compliance must be provided by the contractor for all iron, steel, manufactured products, and construction materials used in the project. Written evidence from the manufacturer or supplier will be required that identifies the item purchased; affirms the location of manufacture as within the United States; and is signed by an authorized company representative.

└ New Forms

Contractor and Subcontractor BABA Certification *(Required)*

- Must be completed and submitted before a request for final payment can be processed.
- Subcontractors should complete when submitting final payment invoices.

Contractor & Subcontractor Build America, Buy America Act Certification

The undersigned certifies, to the best of their knowledge and belief, that

The Build America, Buy America (BABA) Act, as established under the Infrastructure Investment and Jobs Act (IIJA), Pub. L. No. 117-58, and implemented through 2 CFR Part 184, requires that no federal financial assistance for “infrastructure” projects is provided “unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States.”

The undersigned certifies that for the _____ (Project Name and Location) _____ the iron, steel, manufactured products, and construction materials used in this contract are in full compliance with the BABA requirements including:

1. 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.
2. All manufactured products purchased with HUD financial assistance must be produced in the United States. For a manufactured product to be considered produced in the United States, the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55% 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.
3. All construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

“The, _____ [Contractor or Subcontractor] _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any.

Signature of [Contractor’s or Subcontractor’s] Authorized Official

Name and Title of [Contractor’s or Subcontractor’s] Authorized Official

Date

└ Maintaining Evidence of Compliance

Evidence to Collect

Signed Certifications

- Manufacturer Certification or Contractor Certification
- **Must Include:**
 - Project name and location
 - Description of products
 - Identification of U.S. production location
- **Must be signed** by an individual with knowledge of the manufacturing process, affirming that the materials meet BABA requirements

Labels and Technical Details



Product details

Package Dimensions : 14.1 x 12.6 x 8.8 inches; 0.01 Ounces
Item model number : 378570000
Date First Available : November 3, 2009
Manufacturer : Bel-Art Products
ASIN : B002VBW7XY
Country of Origin : USA
Best Sellers Rank: #1,221,753 in Industrial & Scientific (See Top 100 in Industrial & Scientific)
#37 in Lab Multichannel Pipettors

Finding American Made Products

- National Institute of Standards and Technology Manufacturing Extension Partnership [Supplier Scouting Service](#)
- Small Business Administration Portals:
 - [IndustryNet](#)
 - [Thomasnet](#)
 - [Connex](#)

BABA Forms

- ***Revised*** Contract Transmittal Form
- Bidder's BABA Certification ***Required***
- BABA Sample Bid Form
- Contractor and Subcontractor BABA Certification ***Required***



Questions?

Thank you.

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