

BUILD AMERICA, BUY AMERICA ACT (BABAA) GUIDE

The Build America, Buy America Act is a domestic content procurement preference which requires all federal agencies, including FEMA, to ensure 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.

BABAA REQUIREMENTS FOR CONSTRUCTION MATERIALS* AND MANUFACTURING PROCESSES:

- **NON-FERROUS METALS:**

All manufacturing processes, from initial smelting or melting through final shaping, coating, and assembly, occurred in the United States.

- **PLASTIC AND POLYMER-BASED PRODUCTS:**

All manufacturing processes, from initial combination of constituent, plastic or polymer-based inputs until the item is in a form in which it is delivered to the work site and incorporated into the project, occurred in the United States.

- **COMPOSITE BUILDING MATERIALS:**

All manufacturing processes, from initial combination of constituent materials until the composite material is in a form in which it is delivered to the work site and incorporated into the project.

* Construction materials do not include any item that is a “manufactured product”; is primarily iron or steel; or includes cement and cementitious materials, aggregates such as stone, sand or gravel, or aggregate binding agents or additives.

IMPORTANT DISTINCTION BETWEEN DOMESTIC PREFERENCE REQUIREMENTS

It is important to understand that the BABAA requirement is different from other domestic preference requirements. The BABAA requirement is not the same as American Iron and Steel (AIS), or any state domestic preference requirements. A product may be compliant with these other requirements, but it must also comply specifically with the BABAA requirement to be certified as compliant to BABAA.



METHODS OF COMPLIANCE WITH THE BABAA REQUIREMENT:

There are two methods of compliance for these projects: **Certification letters** and **waivers**. GenFlex provides certification letters.

Each certification letter is specific to a project and asserts that all manufacturing processes for the purchased product(s) occurred in the U.S.

To receive a certification letter for your project, please contact your local GenFlex sales representative with the following information:

- 1 Name of the project, address, and/or jurisdiction where the product was delivered
- 2 Name of requesting company, address, phone number, and email address.
- 3 Specific GenFlex product(s) delivered to project site.