



Documenting Compliance with the Build America, Buy America Act (BABA)

Any project that is funded in part or in whole with federal assistance must comply with Public Law No. 117-58, §§70901-27, which constitutes the BABA Act, unless a waiver has been granted by the SRF or the EPA. Contractors, assistance recipients, and their representatives should ensure that the products delivered to the construction site demonstrate compliance with BABA and are accompanied by proper documentation. The use of a signed certification letter for each product/material on the project is the most direct and effective form of compliance documentation for ensuring products used on site are BABA-compliant prior to their installation; however, other forms of documentation are also acceptable as long as the following can be demonstrated:

1. Documentation linked to the project. For example, this can be in the form of the project name, project location, contract number, or project number.
2. Documentation linked to the product used on the project. For example, description of product(s) (simple explanation sufficient to identify the product(s)), or an attached (or electronic link to) purchase order, invoice, or bill of lading.
3. Documentation includes statement attesting that the products supplied to the assistance recipient are compliant with BABA requirement. Reference to the Infrastructure Investment and Jobs Act (“IIJA”) or the Bipartisan Infrastructure Law (BIL) are also acceptable. For iron and steel items under BABA, references to the American Iron and Steel (AIS) requirements are also acceptable and reciprocal with BABA for such items.
4. Documentation that manufacturing occurred in the United States, which could include, for example, the location(s) of manufacturing for each manufacturing step that is being certified. It is acceptable for manufactured products to note a single point of manufacturing, documenting that the final point of manufacturing is in the United States. Note that each BABA category may require different determinations for compliance.
5. Signature of company representative (on company letterhead and signature can be electronic). The signatory of the certifying statement affirms their knowledge of the manufacturing processes for the referenced product(s) and attests that the product meets the BABA requirements.
6. Category of material: iron and steel, manufactured products, or construction materials.

The following products, although the list is not comprehensive, were classified as AIS products if made primarily (more than 50%) of iron and/or steel by materials cost (for programs subject to both AIS and BABA, this list would be equivalent for “iron and steel” items or products under either requirement):

Products likely made “primarily” of iron and steel to be classified as Iron and Steel under BABA

- Access Hatches
- Access Ramps
- Aeration Pipes and Fittings (separate from aeration/blowers)
- Angles
- Backflow Preventers/Double Check Valves
- Baffle Curtains
- Ballast Screens
- Bathroom Stalls
- Beam Clamps
- Bollards
- Cable Hanging Systems
- Cast Bases
- Cast Iron Hinged Hatches
- Cast Iron Riser Rings
- Catch Basin Inlets
- Clarifier Tanks
- Cleanout/Monument Boxes
- Coiled Steel
- Column Piping
- Concrete Reinforcing Bar, Wire, and Fibers
- Condensate Sediment Traps
- Construction Covers and Frames
- Corrugated Pipe
- Couplings
- Curb and Corner Guards
- Curb Boxes

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- Curb Openings
- Curb Stops
- Decking
- Detectable Warning Plates
- Digester Covers
- Dome Structures
- Door Hardware
- Doors
- Downspout Shoes
- Drainage Grate Frames and Curb Inlets
- Drainage Grates
- Ductwork
- Expansion Joints
- Expansion Tanks (diaphragm, surge, and hydropneumatics)
- Fasteners
- Fencing and Fence Tubing
- Fire Escapes
- Flanged Pipe
- Flanges
- Flap Gates
- Framing
- Gate Valves
- Generic Hanging Brackets
- Grating
- Ground Test Wells
- Ground Testing Boxes
- Guardrails
- HVAC Registers, Diffusers, and Grilles
- Hydrants
- Inlets
- Iron or Steel Bar
- Iron or Steel Benches
- Joists
- Junction Boxes
- Knife Gates
- Ladders
- Lampposts
- Lifting Hooks, J-bar, Connectors within, and Anchors for Concrete
- Lined and Unlined Fittings
- Lined and Unlined Pipe
- Lockers
- Man Baskets and Material Platforms
- Manhole Covers and other Municipal Castings
- Manhole Rings and Frames
- Manhole Risers
- Manhole Steps
- Meter Boxes
- Mud Valves
- Municipal Casting Junctions
- Non-mechanical (aka stationary) Louvers and Dampers
- Overhead Rolling Doors/ Uplifting Doors (manual open, no motor)
- Pipe Clamps and Restraints
- Pipe Connectors
- Pipe Hangers
- Pipe Pilings (any type of steel piling)
- Pipe Spool (pipe, flanges, connectors, etc.)
- Pipe Supports
- Pitless Adaptors
- Pre-Cast, Iron/Steel Reinforced Concrete (of all types, regardless of iron/steel content percentage)
- Pre-fab Steel Buildings/Sheds (simple structure, unfurnished)
- Pre-stressed Concrete Cylinder Pipe (PCCP)
- Railings
- Reduced Pressure Zone (RPZ) Valves
- Roofing
- Service Boxes
- Service Saddles
- Sheet Piling
- Sinks (not part of eyewash systems)
- Solenoid Valves
- Stairs
- Static Mixers
- Stationary Screens
- Steel Hinged Hatches
- Steel Riser Rings
- Structural Steel
- Surface Drains
- Tanks
- Tapping Sleeves
- Telescoping Valves
- Tipping Buckets
- Trash Receptacles
- Tree Grates
- Tree Guards
- Trench Grates
- Trusses
- Tubing
- Valve Box Covers and Risers
- Valve Boxes
- Valve Stem Extensions
- Valve Stems (excluding handwheels and actuators)
- Valves
- Wall Panels
- Wall Sleeves/Floor Sleeves
- Welding Rods
- Well Casing
- Well Screens
- Wire
- Wire Cloth
- Wire Rod
- Wire Rope and Cables

The following products would be considered “manufactured products” under the BABA requirements, although the list is not comprehensive, even if the item might be composed primarily of iron and steel by materials cost (Note: These items are not subject to the AIS requirements.):

Products likely made “primarily” of iron and steel to be classified as Manufactured Products under BABA

- Actuator Superstructures/ Support Structures
- Aeration Nozzles and Injectors
- Aerators
- Analytical Instrumentation
- Analyzers (e.g., ozone, oxygen)
- Automated Water Fill Stations
- Blowers/Aeration Equipment
- Boilers, Boiler Systems
- Chemical Feed Systems (e.g., polymer, coagulant, treatment chemicals)
- Chemical Injection Quills
- Chemical Injectors
- Clarifier Mechanisms/Arms
- Compressors
- Controls and Switches
- Conveyors
- Cranes
- Desiccant Air Dryer Tanks
- Dewatering Equipment
- Dewatering Roll-offs
- Disinfection Systems
- Drives (e.g., variable frequency drives)
- Electric/Pneumatic/Manual Accessories Used to Operate
- Electrical Cabinetry and Housings (such as electrical boxes/enclosures)
- Electrical Conduit
- Electrical Junction Boxes
- Electronic Door Locks
- Elevator Systems (hydraulic, etc.,)
- Emergency Life Systems (including eyewash stations, emergency safety showers, fire extinguishers, fire suppression systems including sprinklers, piping, valves, first aid, etc.)
- Fall Protection Anchor Points
- Fiberglass Tank w/Appurtenances
- Flocculators
- Fluidized Bed Incinerators
- Furnished Pre-fab Buildings (such as furnished with pumps, mechanics inside)
- Gear Reducers
- Generators
- Grinders
- Heat Exchangers
- HVAC Dampers (if appurtenances to aerators/blowers)
- HVAC Louvers (mechanical)
- Instrumentation
- Laboratory Equipment
- Ladder Safety Posts
- Lighting Fixtures
- Mechanical or Actuated Louvers/Dampers
- Mechanical Rakes
- Membrane Bioreactor Systems
- Metal Office Furniture (fixed)
- Meters (including flow, wholesale, water, and service connection)
- Motorized Mixers
- Motorized Screens (such as traveling screens)
- Pelton Wheels
- Pipeline Flash Reactors (similar to injectors)
- Precast Concrete without Iron/Steel Reinforcement
- Pressure Gauges
- Pump Cans/Barrels and Strainers
- Safety Climb Cable
- Scrubbers
- Sensors
- Slide and Sluice Gates
- Steel Cabinets (fixed interior/furniture)
- Steel Shelving (fixed)
- Supervisory Control and Data Acquisition (SCADA) Systems
- Valve Manual Gears, Actuators, Handles
- Valves (such as electric valve actuators)
- Voltage Transformer
- Water Heaters
- Weir Gates

If a project has not qualified for a BABA project specific waiver, the borrower must submit to the SRF certifications for all project materials and products along with the BABA de minimis list. Certifications should be submitted for each step of the manufacturing process, starting after the raw materials have been mined or collected, until the product is complete. Alternatively, the final manufacturer may certify BABA compliance for all steps in the manufacturing process. Every effort should be made to obtain products and materials manufactured domestically. For products that cannot comply with BABA, a BABA de minimis list can be found as a spreadsheet on the Alaska SRF website in the Document Library. Please contact the Alaska SRF for further information on compliance.