

Build America, Buy America Act Waiver Information Form – Part I

To Be Completed by Recipient

Instructions:

The applicant/recipient under the RESTORE Act, Direct Component program that seeks a waiver from the requirements of the Build America, Buy America Act for its infrastructure project must complete all required fields on this form (Part I), attach the Excel spreadsheet (Part II), if required (see below for further details), and submit via the Treasury RESTORE Act Grants Management System (RGMS) unless this functionality is unavailable in RGMS and Treasury instructs the applicant/recipient to submit this form via email instead.

1. Entity name – will be prepopulated by RGMS if the applicant/recipient submits via an electronic version of this form in RGMS
2. Entity Unique Entity Identifier (UEI) – will be prepopulated by RGMS if the applicant/recipient submits via an electronic version of this form in RGMS
3. Waiver Title:
4. Waiver level:
 - Award
 - Project (Only applies if seeking waiver for specific project included in multi-project program award)
5. FAIN for Which BABAA Waiver is Sought – will be prepopulated by system if the applicant/recipient submits via an electronic version of this form in RGMS (leave blank if entity hasn't been awarded a grant yet)
6. Project for which BABAA Waiver is Sought – only required if “waiver level” = “project
7. Are you requesting a waiver on the basis of the public interest?
 - Yes
 - No
8. If you indicated you are applying for a public interest waiver, please enter a justification (note: public interest waivers will only be granted under extenuating circumstances; please consult with Treasury OGCR first)
9. What does this waiver cover?
 - Specific product(s)
 - Category of products (note that waivers for categories of products will be granted only in exceptional circumstances and we recommend consulting with Treasury OGCR first)
10. If you are requesting a waiver for one or more specific products, please attach Part II of this information collection, with one row for each product.
11. If you are requesting a waiver for one or more specific products or one or more categories of projects on the basis of nonavailability, please attach a narrative response with the following:
 - i. A description of the due diligence performed by the applicant/recipient, engineer/architect, or contractor, including names and contact information of the manufacturers, distributors, or suppliers

- contacted for quotes (minimum 3), and the responses provided. Please provide documentation of any evidence of market research conducted, including documentation of quotes received.
- ii. If one or more respondent indicated that they could provide a BABAA compliant item, but you are requesting the non-availability waiver because the lead time to obtain the BABAA compliant item is excessive, indicate how the difference in lead time between a BABAA compliant and non-compliant item is going to cause the project to miss a significant milestone or deadline.
 12. If you are requesting a waiver for one or more specific products or one or more categories of projects on the basis of unreasonable cost, please attach a narrative response addressing the following:
 - i. The BABAA requirements will be waived for individual items until the total additional cost of BABAA compliance is less than 25% of the total project cost. Given that, for which items does the applicant/recipient request to be waived from the BABAA requirements to reduce costs below the 25% cost threshold?
 - ii. If part of your calculation of unreasonable cost is based on the additional administrative costs to research and compare the costs of foreign products and domestically-produced alternatives, attach documentation showing the costs associated with this research and cost comparison.
 13. If you are requesting a waiver for a category of products, please specify the category of product(s):
 - Iron
 - Steel
 - Manufactured goods
 - Construction materials
 14. If you are requesting a waiver for a category of products, please provide a detailed description of items, products and materials or categories (e.g. drywall); the county or origin (if known), and a detailed justification of why these categories of products cannot be procured in a timely manner for reasonable cost from domestic sources:
 15. Please indicate any additional information for Treasury's consideration of the requested waiver and provide any supporting documentation as appropriate. Depending on the nature of the waiver you are requesting, this might include the project plans and specifications or a technical description of the project to provide context for the request.
 16. Please describe the anticipated impact to the project if no waiver is issued and provide any supporting documentation as appropriate.
 17. Individual to contact about this waiver request – name
 18. Individual to contact about this waiver request – title
 19. Individual to contact about this waiver request – email
 20. Individual to contact about this waiver request – phone
 21. The applicant affirms that a good faith effort was made to find domestic products to complete the project. (required to submit the form)
 22. Certifying Official Name
 23. Certifying Official Signature

24. Date of Certification