Oklahoma Department of Commerce
Community Development Block Grant (CDBG) Program

BIDDER'S ACKNOWLEDGEMENT & CERTIFICATION FOR
COMPLIANCE WITH BUILD AMERICA-BUY AMERICA (BABA)
IRON & STEEL & SPECIFICALLY LISTED CONSTRUCTION MATERIALS 2023-2024
(Submit with the Bid)

This is a certification that I, the bidder, _____ (Name and Title) of

_____ (Company Name, Partnership, LLC, Inc., etc.) hereby certify and is aware that the funds appropriated or otherwise made available by the Infrastructure Investment and Jobs Act in effect as of May 14, 2022, and used for purchase of Iron and Steel, waived by the Department of Housing and Urban Development on December 14, 2022, for CDBG Project funding allocated after November 13, 2022, to the State of Oklahoma and for a period of five years or such shorter time period as HUD may announce via Notice, shall be used for a project as being at the de minimis threshold amount of $250,000 for the construction, alteration, maintenance, or repair of a public improvement certifying that all of the **Iron and Steel products and Construction Materials** used in the project are produced in the United States.

The Bidder is aware that all iron and steel products and specifically listed materials used for this project must be produced in the United States per Section 436(a)-(f) of the Consolidated Appropriations Act, 2014, and incorporated into this project:

_____ (Insert Name of Project), CDBG Project #_____ (Insert CDBG Project Number), and furthermore certifies as follows:

1. The bidder understands the term "iron and steel products" and "specifically listed construction materials" applies to the construction, alteration, maintenance, or repair of publicly owned infrastructure.
2. The bidder understands the term "iron and steel products" refers to the following products made primarily of iron or steel, lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials. **Additional information for review, including any published waivers, domestic supplier information, "Made in America", BABA FAQs, as posted on the HUD.gov website,** https://www.hud.gov/program_offices/general_counsel/BABA
3. The bidder further states that this requirement applies to all portions of the project that are subcontracted.
4. This "Certification" is to be submitted by Bidder as a part of this bid and proposal.
5. Iron and steel of unknown origin are considered to have been produced or manufactured outside the United States.
6. Identification of American-produced Iron and Steel Goods (AIS) is consistent with the terms of the Owner's bid solicitation and the provisions in the bid document. Bidder certifies that this bid reflects the Bidder's best, good faith effort to identify domestic sources of iron and steel goods in the bid solicitation where such American-made goods are available on the schedule and consistent with the deadlines prescribed in or required by the bid solicitation.

7. Verification of U.S. Production: The bidder certifies that all iron and steel products contained in the bid solicitation that are American-made have been so identified, and if this bid is accepted, the Bidder agrees that it will provide reasonable, sufficient, and timely verification to the Owner of the U.S. production of each component so identified.
8. Documentation Regarding Non-American-made Iron and Steel Goods: The Bidder certifies that for any iron and steel products that are not American-made and are so identified in this bid, the Bidder has included in or attached to this bid one or both of the following a) or b) as applicable:
    a) Identification of and citation to a categorical waiver published by the U.S. Department of Housing and Urban Development (DHUD) in the Federal Register that is applicable to such component or components, and an analysis that supports its applicability to the component or components; If the Owner/State receives a request for a waiver under this section, the Owner/State shall allow for 15 working days for review prior to a determination based on the request.
    b) Verifiable documentation sufficient to the Owner/State, as required in the bid solicitation or otherwise, that the Bidder has sought to secure American-produced goods but has determined that such goods are not available on the bid schedule and consistent with the deadlines prescribed in the bid solicitation, with assurance adequate for the Bidder under the applicable conditions stated in the bid solicitation or otherwise.
9. Information and Detailed Justification Regarding Non-American-produced Iron and Steel Goods: The Bidder certifies that for any such product or products that are not so available, the Bidder has also provided in or attached to this bid certification, including but not limited to the verifiable documentation and a full description of the bidder's efforts to secure any such American-produced iron and steel goods, that the Bidder believes are sufficient to provide and as far as possible constitute the detailed justification required for a waiver under Use of American Iron and Steel with respect to such product or products.
10. If use of a noncompliant iron and/or steel product is permanently incorporated into a project, one or more of the following can occur:
    1) Request a waiver where appropriate;
    2) Require the removal of the nondomestic item;
    3) Payment for all or part of the project will be withheld.
11. The Bidder further agrees that, if the bid is accepted, will assist the Owner/State in amending, supplementing, or further supporting such information as required by the Owner/State to request and, as applicable, implement the terms of a waiver with respect to any such product or products.
12. Supporting Documentation of BABA Products & Materials is required as submittals to the Owner/State for compliance.

_____	_____	_____
Name of Construction Company	Signature of Company Representative	Date
_____	_____	_____
Name of Owner/CDBG Grantee	Signature of Authorized Official	Date

NOTE: OWNER signs and submits this document with the Notice of Contract Award Form in OKGrants.