

Instructions

This form must be completed by the selected engineer/architect to execute and implement an infrastructure project funded partially or wholly with Community Development Block Grant (CDBG) funding. The Build America, Buy America Act (BABA) mandates that all iron, steel, manufactured products, and construction materials employed in federally funded infrastructure projects be made in the United States. The information provided in this form should reflect the project's finalized design determination to ensure adherence to the BAP requirements.

SECTION 1: GENERAL INFORMATION

This section requests information from the pertinent individual who can provide satisfactory details regarding the composition, fabrication, and pricing of all Iron, Steel, Specifically Listed and Not Listed Construction Materials, and Manufactured Products to be used on the infrastructure project. The information on the product(s) required in the form only applies for product(s) that must be in compliance with the Buy America Preference for the CDBG round. This form may also be used to certify a new domestic product that was modified.

SECTION 2: INFORMATION ON OTHER FEDERAL FUNDING

It is important to have sufficient knowledge of the project financing to complete this section accurately. Seeking confirmation from the grant administrator is highly recommended to ensure that the information provided is correct. This section should provide details of secured federal funding sources, other than CDBG, that will be used to cover the cost of the infrastructure project. If the additional financing for the project comes from local sources, please select 'No' and proceed to Section 3. If the project is funded in part with other federal funding sources, please select 'Yes'. The required information must be provided in section 2. If the federal funding is provided through a pass-through state agency, then the relevant information about the State of Indiana agency should be provided in section 2.

SECTION 3: PRODUCTS USED IN THE INFRASTRUCTURE PROJECT

This section requests information from the engineer/architect to determine if the final design of a CDBG funded project contains products subject to BAP requirements. This section takes into consideration HUD's ["Phased Implementation Waiver"](#) and streamlines OCRA's final funding allocation as part of the award process. If the project does not include products that are required to comply with the BAP requirements as per the guidance provided by OCRA per HUD guidance, please select "No" and proceed to Section 5.

SECTION 4: CATEGORIZATION OF PRODUCTS

This instruction provides supplemental information to the responsible party filling out this form on each category of products covered by the Buy America Preference. The responsible party must take note that an article, material, or supply should only be classified into one of the following categories: (i) Iron or steel products; (ii) Manufactured products; (iii) Construction materials; or (iv) Section 70917(c) materials. An article(s), material(s) or supply(ies) must meet the Buy America Preference (BAP) for only the single category in which they are classified. Information in this section should be limited to the product(s) that must comply with the Buy America Preference based on OCRA's round specific guidance and the ["Phased Implementation Waiver"](#).

An item, material, or supply should not be classified into more than one category. The classification of an item, material, or supply into one of the categories mentioned in this form must be determined based on the stage the item, material, or supply arrived at the work site to use in an infrastructure project. The work site refers to the location of the infrastructure project where iron, steel, manufactured products, and construction materials will be integrated.

The following are definitions of the categories outlined in Section 4.

1. **Iron and Steel (IS)** The term "iron and steel products" is defined in 2 CFR 184.3 and means an article, material, or supply that consists wholly or predominantly of iron or steel, or a combination of both.
 - 1.1 **Predominantly iron or steel or a combination of both** is defined in 2 CFR 184.3 and means that the cost of the iron and steel content exceeds 50 percent of the total cost of all its components. The cost of iron and steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components. These products must be classified under iron and steel.
2. **Specifically Listed Construction Materials (SLCM)** refers to materials used in HUD programs includes:
 - a) non-ferrous metals;
 - b) lumber;
 - c) composite building materials; and
 - d) plastic and polymer-based pipe and tube.
3. **Not Listed Construction Materials (NLCM)** refers to the category of construction materials that are subject to the BAP, but not included in HUD's specifically listed construction materials, as defined in the "[Phased Implementation Waiver](#)". This includes:
 - a) plastic and polymer-based products other than composite building materials or plastic and polymer-based pipe or tube;
 - b) glass (including optic glass); and
 - c) drywall.
4. **Manufactured Products (MP)** means an articles, materials, or supplies that have been: (i) Processed into a specific form and shape; or (ii) Combined with other articles, materials, or supplies to create a product with different properties than the individual articles, materials, or supplies, as defined in 2 CFR 184.3 and

If an item is classified as an iron or steel product, a construction material, or a section 70917(c) material under 2 CFR 184.4(e) and the definitions set forth in this section, then it is not a manufactured product. However, an article, material, or supply classified as a manufactured product under 2 CFR 184.4(e) may include components that are construction materials, iron or steel products, or section 70917(c) materials.

SECTION 5: LISTING OF MATERIALS

This section requires information pertinent to the materials to be used in the federal funded project. The engineer/architect selected for the project is responsible to acquire information of the name, quantity required to complete the project, price, country of origin and relevant [Product Service Code](#) (PSC) and [North American Industry Classification System](#) (NAICS) code.

SECTION 5.1 TECHNICAL SPECIFICATIONS

This section requires technical specifications regarding the materials and products mentioned above. Please provide all the necessary information that needs to be considered to evaluate the accuracy and validity of the information provided in Sections 4 and 5.

SECTION 6: CERTIFICATION

This section requires the wet ink signature of the selected engineer/architect who has fill out the form. The purpose of this signature is to certify that the engineer/architect has thoroughly examined all documentation related to the products and materials that are intended to be utilized in the infrastructure project, which will subsequently be submitted for payment. In addition, the engineer or architect affirms that, based on the final design of the project, the products and materials that will be employed either fall under the "Made in the US" category or have been granted a waiver by HUD, in accordance with OCRA instructions. This certification is deemed sufficient for demonstrating compliance with the requirements of the Build America, Buy America Act.