

BABA-02: Self-Certification Form

The BABA-02 form is for use by Grantees awarded Federal Financial Assistance (FFA) from the Office of Community and Rural Affairs (OCRA) for infrastructure projects where the Build America, Buy America Act (BABA) Buy America Preference (BAP) applies and OCRA, on behalf of HUD, acts as the Cognizant Agency.

- The Responsible Entity (the project's engineer/architect) should complete this form with input from the contractor and any other relevant parties familiar with the project's design, material composition, and sourcing.
- BABA-02 must be submitted in eGMS by the Release of Funds deadline and resubmitted as required when material modifications occur.
- A section-by-section instruction guide appears on pages 4–7 of this document.

SECTION 1: SUBMISSION INFORMATION

1.1 Select one response to indicate the purpose of this BABA-02 submission:

- ☐ First submission of BABA-02 for this project (due by the Release of Funds deadline).
- ☐ Resubmission due to material modification (change in product, quantity, cost, or sourcing that affects BABA compliance) **NOT REQUIRING a waiver**.
- ☐ Resubmission due to material modification **REQUIRING a waiver** (attach BABA-03: Material Modification Waiver Request Form and all required supporting documentation).

SECTION 2: GENERAL INFORMATION

2.1. Award Information

2.1.1. Grantee	2.1.2. Grant ID	2.1.3. OCRA Program Name
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2.2. Grant Administrator Information

2.2.1. Name	2.2.2. Company	2.2.3. Email Address	2.2.4. Phone Number
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2.3. Responsible Entity (Engineer/Architect) Information

2.3.1. Name	2.3.2. Company	2.3.3. Phone Number
2.3.4. Email Address	2.3.5. Certifications	2.3.6. Role in the Project

SECTION 3: FUNDING SOURCES

3.1. Enter information for each project funding source, including all OCRA Federal Financial Assistance (FFA), non-OCRA FFA, and local funding. All sources of local match may be totaled and listed on a single line.

Funding Program/Source	Fed/Pass-Through Agency	Awarding Agency Contact Information	Funding Amount	Subject to BAP?
a.				☐ Yes ☐ No
b.				☐ Yes ☐ No
c.				☐ Yes ☐ No
d.				☐ Yes ☐ No
e.				☐ Yes ☐ No

SECTION 4: COVERED MATERIALS USED IN THE PROJECT

4.1. Material Category Applicability and Inclusion in the Project

4.1.1. Which material categories are subject to BAP based on ALL sources of FFA for the project? Check all that apply. (See instructions for details on determining applicability.)

- ☐ Iron and Steel Products (IS)
☐ Specifically Listed Construction Materials (SLCM)
☐ Not Listed Construction Materials (NLCM)
☐ Manufactured Products (MP)

4.1.2. From the categories selected in Question 4.1.1, which materials will be used in the project? Check all that apply. (See instructions for category definitions.)

- ☐ Iron and Steel Products (IS)
☐ Specifically Listed Construction Materials (SLCM)
☐ Not Listed Construction Materials (NLCM)
☐ Manufactured Products (MP)

4.2. Materials List

4.2.1. Provide information for all covered materials planned for use in the project from the categories selected in Question 4.1.2, including name, material category (IS, SLCM, NLCM, or MP) [Product Service Code \(PSC\)](#), [North American Industry Classification System \(NAICS\)](#) code, estimated quantity, and estimated cost.

- Each material should be classified into ONLY ONE category. (See instructions for full category definitions.)
- For any materials that are **NOT BABA-compliant**, check the **"Waiver/Non-US Origin"** box. Contact OCRA for guidance and attach the completed BABA-03 form and supporting documentation to this submission.
- See instructions for additional details on completing this section, including material modification updates.

	Material Name/Description	Material Category	Code		Qty	Unit Cost	Total Cost	Waiver/ Non-US Origin
			PSC	NAICS				
1								☐
2								☐
3								☐
4								☐
5								☐
6								☐
7								☐
8								☐
9								☐
10								☐
11								☐
12								☐
13								☐
14								☐
15								☐
16								☐
17								☐
18								☐
19								☐
20								☐

	Material Name/Description	Material Category	Code		Qty	Unit Cost	Total Cost	Waiver/ Non-US Origin
			PSC	NAICS				
21								☐
22								☐
23								☐
24								☐
25								☐
26								☐
27								☐
28								☐
29								☐
30								☐
31								☐
32								☐
33								☐
34								☐
35								☐

4.2.2. As applicable, provide any relevant information or technical specifications for the listed materials. If this list includes material modifications and/or you checked "Waiver/Non-US Origin" for any materials, provide additional details, such as materials updated, reason for modification, waiver eligibility/request status, etc.

SECTION 5: CERTIFICATION

I hereby certify that, to the best of my knowledge and professional experience, all products and materials subject to the Buy America Preference and included in the project design specifications, to be installed or provided by the awarded contractor or any subcontractors, suppliers, or other relevant parties, will comply with the Build America, Buy America Act requirements or will be covered by a waiver approved by the U.S. Department of Housing and Urban Development and/or the Indiana Office of Community and Rural Affairs, as applicable.

Responsible Entity Printed Name	Responsible Entity Signature	Date
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Instructions

The BABA-02 form is for use by Grantees awarded Federal Financial Assistance (FFA) from the Office of Community and Rural Affairs (OCRA) for infrastructure projects **in which the Build America, Buy America Act (BABA) Buy America Preference (BAP) applies AND OCRA (on behalf of HUD) acts as the Cognizant Agency** responsible for BABA oversight, coordination, and compliance. The purpose of this form is to certify BABA compliance of the project's materials.

If another federal/pass-through agency is acting as the Cognizant Agency for the project, DO NOT submit this form. Instead, you will submit **BABA-Template-01: Cognizant Agency Letter**. If you are unsure which agency is the Cognizant Agency, review the project's BABA-01 form submission and/or seek guidance from the Grant Administrator.

If the BABA-01 form that was submitted indicated that the project IS NOT subject to BAP, you DO NOT need to submit BABA-02. If changes have occurred since the BABA-01 was submitted that have altered the project's BABA-applicability, contact the Grant Services team for guidance.

BABA-02 should be completed by the engineer/architect implementing the project (Responsible Entity), with input from the contractor, subcontractor(s), and/or other relevant parties with the requisite knowledge of the project's design and material composition, and the expertise needed to categorize project materials and provide reasonable cost estimates in compliance with BABA requirements.

SECTION 1: SUBMISSION INFORMATION

Select the response that indicates the purpose of your BABA-02 submission (check **ONLY ONE** box).

- **First** BABA-02 submission for the project (due by the Release of Funds deadline).
- A revision/resubmission of the BABA-02 form to certify a new or modified domestic material **NOT requiring** a waiver.
- A revision/resubmission for material modification **REQUIRING** a waiver (contact OCRA for guidance prior to submission and attach BABA-03: Waiver Request Form with all supporting documentation.)

SECTION 2: GENERAL INFORMATION

Enter the relevant information for the project, Grantee, Grant Administrator, and Responsible Entity (engineer/architect).

SECTION 3: FUNDING SOURCES

This section requires information about ALL project funding sources and amounts, including OCRA FFA, non-OCRA FFA, and any local sources. Review the project's application or BABA-01 form or seek guidance from the Grant Administrator.

- All sources of local match may be totaled and listed on a single line. Any boxes that do not apply, such as those related to the awarding agency, may be left blank or marked as "N/A" or "Not Applicable."
- Each federal funding source (including those awarded by a pass-through agency) must be listed on its own line.

BABA-02 should be completed only if OCRA is acting as the **Cognizant Agency** for the project, meaning that the OCRA-awarded funding source is subject to BAP AND is also contributing the greatest amount of FFA to the project (or is the only source of FFA). If the information entered in this section shows that an agency other than OCRA is acting as the Cognizant Agency, you must submit BABA-Template-01: Cognizant Agency Letter instead.

SECTION 4: COVERED MATERIALS USED IN THE PROJECT

In this section, you will identify all BAP-applicable covered material categories from which materials are used in the project and then provide a list of all these included materials. **To ensure adherence to BAP requirements, the information provided in this section should reflect the project's final design.**

4.1. Material Category Applicability and Inclusion in the Project

For Question 4.1.1, you must select each material category that is subject to BAP for the project based on ALL funding sources. See the instructions for Question 4.1.2 for a list and detailed definitions of BAP-applicable material categories.

If the project's OCRA funding is the only BAP-applicable FFA, your answer to this question should be the same as the answer from BABA-01, Question 3.2.2, which identifies the project's BAP-applicable categories based on the most recent

HUD fiscal year appropriation of the funding, and HUD's phased implementation schedule for BABA. Refer to your BABA-01 submission, your project's FEPs email, and the HUD phased implementation timelines in the table below for guidance on appropriation year and determining phased implementation applicability.

If the project is co-funded by another federal agency whose funding is subject to BAP, HUD's phased implementation timelines may not apply to the project, as other federal agencies may not have equivalent waivers. As such, to complete this form, you must confirm with each awarding agency which materials are subject to BAP for that FFA.

Note: The project must comply with BABA requirements for the funding source with the broadest BAP applicability. If a category of materials is subject to BAP based on one funding source, that category is subject to BAP for the entire project.

HUD BABA Phased Implementation Schedule for OCRA Programs (not applicable if co-funded by non-OCRA FFA)

	Iron and Steel Products (IS)	Specifically Listed Construction Materials (SLCM)	Not Listed Construction Materials (NLCM)	Manufactured Products (MP)
Community Development Block Grant (CDBG)	FFA from HUD's FY2023 appropriation or later	FFA from HUD's FY2024 appropriation or later	FFA from HUD's FY2025 appropriation or later	FFA from HUD's FY2025 appropriation or later
Recovery Housing Program (RHP)	FFA from HUD's FY2024 appropriation or later	FFA from HUD's FY2024 appropriation or later	FFA from HUD's FY2025 appropriation or later	FFA from HUD's FY2025 appropriation or later

For Question 4.1.2, you must determine whether the project uses materials that fall under any of the BAP-applicable categories you selected in Question 4.1.1.

All materials used in the project should be classified based on the category descriptions below. Each material should be classified into ONLY ONE category. The classification must be determined based on the stage the material arrived at the worksite where the materials will be integrated for use in the project.

Covered Material Categories:

- **Iron and Steel Products (IS):** An article, material, or supply that consists wholly or predominantly of iron, steel, or a combination of both.

Predominantly iron, steel, or a combination of both means that the cost of the product's iron and/or steel content exceeds 50% of the total cost of all its components. This includes the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the product's manufacture, as well as a good faith estimate of the cost of iron or steel components.

- **Specifically Listed Construction Materials (SLCM):** A subcategory of construction materials specifically identified in HUD's Phased Implementation Waiver as having an earlier BAP-applicability timeline, which is comprised of:

- Plastic and polymer-based pipe and tube (including PVC pipe)
- Composite building materials
- Non-ferrous metals
- Lumber

- **Not Listed Construction Materials (NLCM):** A subcategory of construction materials that are subject to BAP but not specifically identified in HUD's Phased Implementation Waiver. NLCMs include:

- Plastic and polymer-based products other than composite building materials or plastic/polymer-based pipe or tube
- Fiber optic cable (including drop cable)
- Glass (including optic glass)
- Engineered wood
- Optical fiber
- Drywall

- **Manufactured Products (MP):** Articles, materials, or supplies that have been processed into a specific form and shape or combined with other articles, materials, or supplies to create a product with different properties than the individual components. Items classified as IS, SLCM, NLCM, or Section 70917(c) materials* are not manufactured products. However, manufactured products may include these materials as components.

***Section 70917(c) Materials:** A specific class of raw materials listed in Section 70917(c) of BABA that are generally

excluded from BAP. Section 70917(c) materials consist of cement and cementitious materials; aggregates such as stone, sand, or gravel; and aggregate binding agents or additives.

When these materials are used or mixed proximate to the worksite, such as wet concrete or hot asphalt, they are NOT subject to BAP. **However, if they are processed and formed into a specific shape before reaching the worksite (such as precast concrete products), the final products are classified as MPs and ARE subject to BAP.**

4.2. Materials List

For Question 4.2.1, provide complete information for all covered materials that are subject to BAP (from selections in Question 4.1.2) and used in the project. This information should be based on the final project design.

For each listed material, include the following:

- Product name/description
- Material category (IS, SLCM, NLCM, or MP)
- [Product Service Code](#) (PSC)
- [North American Industry Classification System](#) (NAICS) code
- Estimated quantity required to complete the project, along with estimated cost (unit and total cost)

Check “Waiver/Non-US Origin” for any listed material for which you are requesting a waiver. For waiver requests, you will need to contact OCRA for guidance and attach the BABA-03: Waiver Request Form and all supporting documentation.

For material modification submissions, update listed quantities/prices as appropriate. If substituting materials, set the original material’s quantity to zero and enter the replacement material on a new line.

As needed, the Responsible Entity should consult with the contractor, subcontractor(s), and/or other relevant parties with the requisite knowledge of product sourcing and pricing for BABA-compliant materials.

As BABA-02 is initially submitted at Release of Funds, **OCRA acknowledges that some material pricing and quantities may change as products are sourced and construction is implemented.** As such, this form should be completed using **specifications in the final project design** and **reasonable cost estimates based on knowledge of current product costs and availability.** Any required material modifications may be reported as outlined in SUBMISSION REQUIREMENTS.

SECTION 5: CERTIFICATION

Before the initial BABA-02 submission, the Responsible Entity must sign and date to certify that the project materials will comply with BABA requirements or be covered by an approved waiver. This certification is required for Release of Funds in order for construction to begin. For resubmissions due to material modifications, the updated signature and date certify that any changes to materials continue to meet BABA requirements.

SUBMISSION REQUIREMENTS

Upload the completed and signed BABA-02 form to eGMS. **Initial submissions** must be completed by the Release of Funds deadline. **Submit revised BABA-02 forms** as soon as the need for material modification has been confirmed.

Material modifications may include changes in product quantities or costs, substitutions of materials, or requests for waiver of BAP requirements. Report material modifications by resubmitting an updated BABA-02 form revised as follows:

- In SECTION 1, check the appropriate box indicating the type of material modification being reported.
- In the material list in Question 4.2.1, update quantities/prices as appropriate. If a material is being substituted, instead of removing the old material from the list, change its quantity to zero (0) and add the substitute material on a new line.
- Check the “Waiver/Non-US Origin” box next to any listed material for which you are requesting a waiver. For waiver requests, you will need to contact OCRA for guidance and attach a completed BABA-03: Waiver Request Form and all supporting documentation.
- In Question 4.2.2, describe any additions or updates to the listed materials, including substitutions, reasons for modifications, and waiver eligibility/request status.
- In SECTION 5, the Responsible Entity must provide an updated signature and date to certify continued BAP compliance.