

BABA Compliance Checklist

Working with the Grantee, the RSBA must ascertain compliance with the following requirements:

1. Make sure no ARC grant funds pay for a construction project unless all iron and steel, manufactured products, and construction materials subject to BABA are produced in the United States (see Sections 4.4–4.6 for what each term means).
2. Factor BABA compliance into project design and budget (see Section 1.3).
3. Ascertain that procurement follows the Buy America Preference, including keeping records that show domestic sourcing (see [RSBA Guidance on Project Compliance Certifications](#)) or a written [ARC BABA waiver](#) (see Section 5) for the item.
4. Include the ARC BABA term and condition and the [Sample Contract Clause and Bid Language](#) in all specifications, solicitations, and contracts.
5. Require the compliance certifications (**Certification of Compliance – (Subrecipient, Contractor, Subcontractor, Supplier/Manufacturer/Steel Mill)**) in all subawards and contracts, delivered to the Grantee and the RSBA before final closeout. Work with the RSBA to monitor subrecipients and to process any waiver requests.
6. Document in the project file whenever a general applicability waiver is used and report it to ARC in the BAMR.
7. Submit project-specific waiver requests promptly using the [ARC BABA Waiver Request Form](#). Note: a waiver cannot cover costs already incurred before its effective date.
8. Keep documentation that proves compliance — verify before and at the time of incorporation, collect manufacturer self-certification letters, and retain records to satisfy audits.
1. Address all BABA questions, concerns, and problems.

For more information, see the [RSBA BABA Manual](#) or the [Grantee BABA Manual](#)