

RSBA Guidance on Project Compliance Certifications

Process Overview

BABA documentation should be developed progressively throughout project planning, procurement, construction, and closeout rather than assembled after project completion. The documentation process begins during project design, when the Grantee or its engineer identifies those materials, products, and equipment that are subject to the applicable Buy America Preference. During the solicitation phase, the Grantee incorporates BABA clauses and contractual flow-down requirements into all prime contracts, purchase orders, and subcontracts, thereby requiring each downstream participant in the supply chain to provide the certifications and supporting documentation necessary to demonstrate compliance.

As procurement begins, the original manufacturer is responsible for preparing the manufacturer's BABA certificate of compliance (see [Supplier's / Manufacturer's / Steel Mill's Certification of Compliance](#)), certifying that the product satisfies the applicable domestic preference requirements for construction materials, manufactured products, or iron and steel, as applicable. Where iron or steel products are involved, the domestic steel mill provides the mill certificate and mill test report identifying the domestic melt, pour, and manufacturing information. If a separate fabricator performs additional manufacturing processes, the fabricator supplements the mill documentation with its own certification confirming the materials received, the manufacturing processes performed, and the continued traceability of the product. These upstream certifications establish the foundation of the compliance record and accompany the product throughout the remainder of the supply chain.

Each subsequent commercial participant serves as a custodian of the compliance documentation. Distributors do not independently certify BABA compliance but instead provide traceability certifications confirming that the products delivered are identical to those identified in the manufacturer's certification and that no substitutions or alterations have occurred. Manufacturers/suppliers then transmit the complete package — including the manufacturer's certificate, mill documentation where applicable, distributor certification, invoices, packing lists, and shipping records — to the prime contractor (see [Supplier's / Manufacturer's / Steel Mill's Certification of Compliance](#)) through a flow-down certification that preserves the integrity of the upstream documentation.

During construction, subcontractors are responsible for documenting that the certified products were actually incorporated into the project (see [Subcontractor's Certification of Compliance](#)). Installation certifications should identify the specific products installed, installation dates, locations within the project, and, where appropriate, serial numbers, heat numbers, or other identifying information sufficient to link the installed materials to the accompanying procurement documentation. These records provide the critical connection between the products that were certified during procurement and those ultimately incorporated into the federally funded infrastructure project.

The prime contractor is responsible for collecting, organizing, and reviewing all certifications and supporting documentation received from manufacturers, fabricators, distributors,

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

suppliers, and subcontractors. Rather than replacing or modifying the upstream certifications, the prime contractor should prepare a consolidated project certification (see [Contractor's Certification of Compliance](#)) confirming that all required BABA documentation has been obtained, reviewed for completeness, and associated with the products incorporated into the project, and that the contractor is unaware of any unauthorized substitutions or noncompliant materials.

Finally, working with the RSBA, the Grantee assembles and maintains the official BABA compliance file for the project. The RSBA and Grantee should organize the documentation by contract, specification section, or individual BABA-covered item so that each product can be traced from the original domestic manufacturer or steel mill through every subsequent commercial transaction, installation, and acceptance into the completed project. The resulting documentation package should include the manufacturer's certification, mill certificates and mill test reports where applicable, fabricator certifications, distributor and supplier traceability certifications, shipping and receiving records, installation certifications, and the prime contractor's consolidated certification. Maintaining this complete and continuous chain of documentation provides an audit-ready record demonstrating compliance with BABA flow-down requirements and enables ARC, Inspectors General, and Single Auditors to verify the domestic origin, manufacturing history, chain of custody, and incorporation of each covered product without relying solely on post hoc representations.

↔ RSBA ↔ Grantee: The official compliance file

- Working together, the RSBA and Grantee maintain the official project compliance file, organized by covered item or specification section.
- They verify that documentation is complete, internally consistent, and linked to installed products — they do not rewrite or replace upstream certifications.

Process Chart

Project Phase	Responsible Party	Certificate / Documentation Produced	Provided To	Purpose
Design	Engineer/Designer	Preliminary list of BABA-covered materials	Owner/Grantee	Identifies products requiring compliance documentation
Solicitation	Recipient	BABA clauses and flow-down requirements	Prime Contractor	Requires documentation from every supplier
Bid	Prime Contractor	Preliminary certification that BABA documentation will be obtained	Grantee	Demonstrates understanding of contractual obligations

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

Project Phase	Responsible Party	Certificate / Documentation Produced	Provided To	Purpose
Procurement	Manufacturer	Manufacturer's BABA Certificate of Compliance	Distributor or Contractor	Establishes product compliance
Procurement	Domestic Steel Mill	Mill Test Report and Mill Certificate	Manufacturer/Fabricator	Establishes domestic production of steel or iron
Procurement	Fabricator	Fabricator Certification	Manufacturer/System Integrator	Maintains traceability after fabrication
Procurement	Distributor	Distributor Traceability Certificate	Supplier or Contractor	Certifies products were not substituted
Procurement	Supplier	Supplier Flow-Down Certification	Prime Contractor	Passes upstream certifications unchanged
Construction	Subcontractor	Installation Certification identifying certified products installed	Prime Contractor	Connects certified products to actual installation
Construction	Prime Contractor	Consolidated BABA Certification	Grantee	Verifies project-wide compliance
Closeout	Grantee	Final Compliance Package	RSBA	Audit-ready record

The following templates can be adapted to each project:

- [Sample contract clause / contractor bid language](#)
- [Subrecipient's certification of compliance](#)
- [Contractor's certification of compliance](#)
- [Subcontractor's certification of compliance](#)
- [Supplier's / Manufacturer's / Steel Mill's Certification of Compliance](#)

Contractor and supplier certificates should be provided to the Grantee and the RSBA with each monthly progress payment application, or whenever a new batch of covered material arrives at the jobsite.

Certification Flow, Phase by Phase

The template links above may be customized and adjusted to reflect the following certification flow.

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

Phase 1 — Project Planning

Before procurement begins, the Grantee should determine which project items are subject to BABA. The design engineer typically prepares an equipment schedule, a material schedule, technical specifications, and a list of domestic preference requirements. This information allows procurement personnel to know which products will require documentation. No manufacturer certificates normally exist yet.

Phase 2 — Solicitation

The Grantee or subgrantee inserts BABA requirements into the Invitation for Bids, project specifications, Request for Proposals, construction contracts, purchase orders, and subcontracts. Every contract should require downstream suppliers to furnish manufacturer certificates, mill certificates, supporting documentation, and records upon request. This is the “flow-down” requirement.

Phase 3 — Manufacturer Documentation

Once products are manufactured, the manufacturer is the first party capable of certifying compliance. The manufacturer prepares the Manufacturer’s BABA Certificate, bills of material (retained internally unless requested), manufacturing location information, production records, and component sourcing documentation, and sends these to the distributor, supplier, or prime contractor (if purchased directly).

Steel and Iron Products

If the product contains steel subject to the Iron or Steel Requirement, the steel mill provides a Mill Test Report, Mill Certificate, heat numbers, and domestic melt records. These go first from Steel Mill → Fabricator; then Fabricator → Manufacturer; then Manufacturer → Distributor; then downstream through the supply chain. The manufacturer should attach or reference the applicable mill documentation where appropriate to preserve traceability.

Phase 4 — Fabrication

If a separate fabricator performs cutting, welding, machining, coating, or assembly, that fabricator should issue its own certification stating materials received, heat numbers, manufacturing performed, and no foreign substitution. The fabricator forwards original mill documents and its certification to the manufacturer or system integrator.

Phase 5 — Distributor

Distributors generally cannot certify BABA compliance independently because they did not manufacture the product. Instead they certify chain of custody — typically: “Distributor certifies that the products delivered are identical to those identified in the attached Manufacturer’s Certificate of Compliance and have not been substituted or altered.” They attach the manufacturer certificate, mill documents (if applicable), and shipping records, and forward everything to the supplier or contractor.

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

Phase 6 — Supplier

The supplier's role is administrative. The supplier should compile the manufacturer certificate, distributor certification, packing list, invoice, and bill of lading, then issue a flow-down certification transmitting the complete package to the prime contractor.

Phase 7 — Subcontractor

The subcontractor installs the products and should certify which certified products were installed, installation dates, equipment serial numbers (if applicable), and that no substitutions were made. This certification links procurement documentation to the physical work.

Phase 8 — Prime Contractor

The prime contractor compiles all documentation received from subcontractors and suppliers. It generally should not replace manufacturer certifications with its own; rather, it should prepare a consolidated project certification stating that required certifications were obtained for all BABA-covered products, that supporting documentation has been reviewed, that the contractor is unaware of unauthorized substitutions, and that the attached documentation represents the products incorporated into the project. The contractor submits this complete package to the recipient.

Phase 9 — RSBA and Grantee

The RSBA and Grantee are responsible for maintaining the official project compliance file, organized by BABA-covered item or specification section. Each file should contain: (1) purchase order; (2) manufacturer's BABA certificate; (3) mill certificate and Mill Test Report (if applicable); (4) fabricator certification (if applicable); (5) distributor certification; (6) supplier certification; (7) shipping documents; (8) receiving reports; (9) installation certification; and (10) prime contractor's consolidated certification. The RSBA and Grantee should not rewrite or replace upstream certifications but should verify that the documentation is complete, internally consistent, and linked to the specific products incorporated into the project.

Phase 10 — Federal Agency Audit

During an audit, ARC, the Inspector General, or a Single Audit reviewer may request evidence that the products installed in the project correspond to the products originally certified as BABA-compliant. A complete package should allow the auditor to trace each covered item through the entire chain.

i Practical recommendation

- For large federally funded infrastructure projects, RSBA should maintain a living BABA compliance binder (electronic or hard copy) throughout the project. Documentation is added as products are procured and installed, rather than reconstructed at closeout. This minimizes the risk of missing certifications, facilitates progress-payment reviews, and provides a contemporaneous, audit-ready record.

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