



BUY AMERICA, BUILD AMERICA (BABA) SELF-CERTIFICATION

Nebraska Department of Economic Development (DED)

[Please refer to DED's Build America Buy America Policy Guidance when completing this form.]

SELF-CERTIFICATION FORM

Project: _____

Location: _____

DED Award No. _____

For NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT (DED) programs, including HOME, HTF, and CDBG (not including CDBG-DR, CDBG-CV or HOME-ARP), subject to The Build America Buy America Act (BABA), subrecipients, developers, contractors, subcontractors and vendors, must complete and submit this Self-Certification to the next tier (e.g., subcontractor/vendor to contractor; contractor to subrecipient; subrecipient to non-federal entity, etc.) for each bid or offer relating to an “infrastructure project”.

The undersigned understands and agrees that it must comply with the requirements of BABA, and any applicable regulations and notices, as amended from time to time, regarding funds obligated by the U.S. Department of Housing and Urban Development (HUD).

Under BABA, all “iron, steel, manufactured products, and construction materials” used for federally funded public “infrastructure projects” must be produced in the United States, unless subject to a waiver.

With respect to the above project, the undersigned hereby certifies to the best of his/her/its knowledge and belief after due inquiry, that [check one]:

All iron, steel, manufactured products, and construction materials used in the project were produced in the United States; or

Some or all iron, steel, manufactured products, and construction materials used in the project were not produced in the United States.

GENERAL WAIVERS. For iron, steel, manufactured products, and construction materials **not produced in the United States**, the undersigned maintains documentation confirming its determination that a **General Waiver(s)** is applicable [check one or more, AND attach purchase order, contract, or brief description and cost of item(s) subject to waiver]:

De Minimis Waiver – the total cost of the iron, steel, manufactured products, and construction materials not produced in the United States is equal to or less than 5% of the total project cost of iron, steel, manufactured products, and construction materials, up to \$1 million;

Small Grants Waiver - total project cost is equal to or less than \$250,000;

Exigent Circumstances - an urgent need existed by grantee to immediately complete the project because of a threat to life, safety, or property of residents and the community; or

Tribal Consultations – regarding Tribal recipients.

SPECIFIC WAIVERS. For iron, steel, manufactured products, and construction materials **not produced in the United States**, the undersigned intends to or has applied for a project or product **Specific Waiver** on the **BABA Specific Waiver Submission Site** [check one or more, if applicable, and insert application date and approval status]:

Public Interest, Application Date _____, Approved Yes/No/Pending _____
Requiring the use of the USA made product would be inconsistent with the public interest;

Nonavailability, Application Date _____, Approved Yes/No/Pending _____
Product needed is not produced in the USA in sufficient quantities or of a satisfactory quality; or

Unreasonable Cost, Application Date _____, Approved Yes/No/Pending _____
Inclusion of the product produced in the USA will increase the cost of the overall project by more than 25%.

The undersigned certifies and affirms the truthfulness and accuracy of each statement contained herein. In addition, the undersigned understands and agrees that the provisions of 31 U.S.C. Chap. 38, Administrative Remedies for False Claims and Statements, apply to this certification.

Legal Name of Entity or Sole Proprietorship

Signature of Authorized Individual or Official

Printed Name and Title of Authorized Official

Signature Date