

NONAVAILABILITY PROJECT-SPECIFIC WAIVER FORM
Build America, Buy America (BABA)

Project Name:

Project Address:

MaineHousing Project Number:

Date of Request:

Please answer the questions below and attach all supporting documentation.

1. Is a particular iron or steel product, construction material, or manufactured product not produced in the United States in sufficient quantities or of a satisfactory quality?

☐ YES

☐ NO

If yes, please explain: _____

2. Total estimated Infrastructure Costs **(iron & steel, construction materials and manufactured products)**:
\$ _____

3. Total estimated Project Costs **(everything)**: \$ _____

Federal Funds		Developer Funds		Other Funds	
Description	Cost	Description	Cost	Description	Cost

4. Please explain the market research activities and methods used to identify domestically manufactured items capable of satisfying the BABA requirements, including the timing of the research and the conclusions reached on the availability of sources and lead times: _____

5. What are the anticipated impacts if no waiver is granted? _____

6. Please complete the below for the product you are seeking a waiver for. **Please attach supporting documentation evidencing the information below.**

Product Name	Product Classification (I&S, CM or MP)	Countries of origin (if known)	Made in America Cost	Foreign Cost	PSC or NAICS (see below)	Quantity of Product Needed

- **PSC Codes:** <https://www.acquisition.gov/psc-manual>
- **NAICS Codes:** <https://www.census.gov/naics/>

7. Please attach either:

- A report showing the results of a supplier scouting service provided by NIST, MEP or similar supplier scouting service; OR
- A description of the market research/due diligence performed for the specific item, product or material, showing a good faith effort to contact a minimum of three (3) manufacturers or suppliers, including documentation such as PDF files or screenshots of Internet searches or email communications, or documentation of phone conversations that note the date and time of the call, the contact person with whom you spoke, and a summary of the information/response received. If the product maker does not respond within five (5) business days, provide a written statement stating as such and the market research/due diligence is complete.

8. If the lead time to obtain a BABA compliant item is excessive, please complete the below for the product. **Attach documentation evidencing this.**

Product	Made in America Cost	Foreign Cost	Quality or Quantity Issues

Total Project Costs: \$ _____

Does the cost of using the BABA compliant product increase the overall project cost by 25%?

☐

YES

☐

NO

If NO, lead time cannot be the basis for this waiver.

The undersigned hereby certifies that they made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. *WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).*

Signature

Printed Name and Title

Signature Date

FOR MAINEHOUSING USE ONLY

Waiver(s) approved, approved in part or denied:

- ☐ Approved
- ☐ Approved in Part
- ☐ Denied

Conditions: _____

Date: _____

Name:
Title: