



Build America, Buy America Waiver Request Form

Department of Management, Division of Information Technology

Subrecipient Name: _____
Contract Number: _____ Date of Request: _____
Period of Performance (mm/dd/yy) – mm/dd/yy): _____
Total BEAD Award Amount: _____ Total Project Cost (All Sources): _____

The Build America, Buy America Act (BABA), enacted as part of the Infrastructure Investment and Jobs Act, establishes domestic content requirements for iron, steel, manufactured products, and construction materials used in federally funded infrastructure projects. These requirements apply to projects funded under the Broadband Equity, Access, and Deployment (BEAD) Program.

As a condition of receiving federal financial assistance under the BEAD Program (ALN 11.035), subrecipients are required to comply with the Build America, Buy America Act (Pub. L. 117-58, §§ 70901–70927), as implemented through [OMB Memorandum M-22-11](#), [2 CFR Part 184](#), and the [NTIA BEAD Notice of Funding Opportunity](#), including Section VII.B.6.

Any deviation from BABA’s domestic preference must be requested through a formal waiver (see [Notice of Final Waiver](#)) and is permissible only when (i) applying the preference would be inconsistent with the public interest, (ii) the item is not produced in the United States in sufficient and reasonably available quantities or satisfactory quality, or (iii) using a U.S.-produced item would increase the total project cost by [more than 25 percent](#); all waivers require federal review and approval and are not self-executing. Please utilize [the BABA Waiver Request Item List Attachment template](#).

Is the requested item(s) already covered by an existing DOC/NTIA BEAD general applicability waiver? *Pre-existing and pending waivers are posted on the [BABA Compliance website](#) and a comprehensive listing can be found on the [Made in America site](#).*

☐ Yes ☐ No ☐ Unsure

If yes or unsure, briefly explain:

I am requesting a waiver for the following items (Check the attachment included with this request):

Public Interest Waiver Attachments

- ☐ Written justification (public interest narrative)
- ☐ Supporting documentation (technical constraints, compatibility, schedule impact, etc.)

Nonavailability Waiver Attachments

- ☐ Outreach to at least three U.S. manufacturers/suppliers/distributors (names, dates, responses)
- ☐ Technical reasons domestic items are unavailable/unsatisfactory (if applicable)
- ☐ Comparable specifications/spec sheets used to evaluate availability

Unreasonable Cost Waiver Attachments

- ☐ Cost comparison summary (domestic vs. non-domestic) with assumptions
- ☐ Evidence supporting domestic pricing (quotes/bids/catalog pricing)
- ☐ Calculation showing impact on total project cost (>25%)



KIM REYNOLDS, GOVERNOR

CHRIS COURNOYER, LT GOVERNOR

The subrecipient affirms this request does not seek a waiver of any statutory requirement under the Infrastructure Investment and Jobs Act.

Subrecipient Signature

Subrecipient Representative Printed Name and Title

Date