



# BABA Act at OWEB

## Build America, Buy America

On November 15, 2021 the Infrastructure Investment and Jobs Act was signed into law; this is called the Bipartisan Infrastructure Law (BIL). Included in the BIL was the [Build America, Buy America Act \(BABA\)](#).

### BABA states that after May 14, 2022...

...Federal financial assistance program funds for infrastructure require that:  
**all of the iron, steel, manufactured products, and construction materials utilized in the project are produced in the United States.**

### Grants that Fall Under BABA

Any grant awarded by OWEB and funded with federal funds (partial or fully) that was awarded (or amended) to OWEB after May 14, 2022.

### Activities, Materials, and Manufacturing that Fall Under BABA

- “An entire infrastructure project,” even if it is funded by both Federal and non-Federal funds.
- Articles, materials, and supplies that are consumed, in, incorporated into, or affixed to an infrastructure project.
- One-off purchases for small projects if paid for with federal money: nails, cans of paint, screws, shelves, security cameras...

#### Infrastructure includes but is not limited to these items:



Roads



Tidegates



Bridges



Diversions



Culverts



Fish screens



Water systems

#### Iron/Steel Products

- Includes all items that are predominantly iron or steel.
- Includes all manufacturing stages, from initial melting stage through application of coatings.

#### Manufactured products

- Includes the cost of components that are mined, produced, or manufactured in the United States. Cost must be greater than 55% of total cost of all components of product.

#### Construction Materials

- Includes all manufacturing stages.
- Includes all materials that consist primarily of: non-ferrous metals (e.g., aluminum, copper); plastic and polymer-based products (e.g., adhesives, paints); glass, lumber; or drywall.
- *Does not include* cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives.

### Questions ?

**Note! Grantees are required** to keep lists and manufacturer letters for all materials. All documentation must be submitted with the final project completion report.

OWEB will do everything possible to answer questions in a timely manner. OWEB Project Managers will communicate with grantees about the inclusion of federal funds that must comply with the BABA prior to issuing a grant agreement or amendment. Please contact your OWEB Project Manager with any questions at:

[www.oregon.gov/oweb/about-us/Pages/directory.aspx](http://www.oregon.gov/oweb/about-us/Pages/directory.aspx)