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MEMO

WX-2024-5

TO: Agency Directors, Weatherization Coordinators, and Fiscal Officers
FROM: Danielle Safford, Weatherization Program Coordinator
RE: Build America, Buy America Requirements
DATE: 10/08/2024

Greetings,

Effective immediately, Build America, Buy America (BABA) requirements are required on DOE and DOE BIL funded projects that are public housing or privately owned buildings that serve a public function. Most projects will not fall under this requirement. If agencies are unclear whether a project falls under this requirement may contact OHCS for assistance.

BABA requires that manufactured products used on the DOE or DOE BIL funded project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

Agencies must ensure BABA requirements flow down to all sub-awards, contracts, subcontracts, and purchase orders for articles, materials, and supplies that are consumed in, incorporated into, or affixed to a DOE or DOE BIL funded public housing project or privately owned buildings that serve a public function.

DOE has created a website which includes an overview of BABA as well as additional guidance on submitting a DOE Buy America Waiver at:
<https://www.energy.gov/management/build-america-buy-america>.

If you have any questions, please contact me at:

Danielle Safford
Oregon Housing & Community Services
725 Summer Street NE, Suite B
Salem, OR 97301-1266
Phone: 503-569-2528
danielle.safford@hcs.oregon.gov