



SC DEPARTMENT of
ENVIRONMENTAL
SERVICES

Bidder's Build America, Buy America Certification

(for Equivalency Requirements Only)#



SRF Project Number _____

Project Name _____ Division _____

Project Sponsor _____

Both the Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF) programs require loan recipients to use iron, steel, manufactured goods, and construction materials that are produced in the United States in a manner that complies with the Build America, Buy America (BABA) requirement for projects that involve the construction, alteration, maintenance, or repair of a public water system or treatment works. For more information about BABA requirements and authorization, visit the U.S. Environmental Protection Agency (EPA)'s website:
<https://www.epa.gov/cwsrf/build-america-buy-america-baba>.

As a bidder for the project listed above, I certify that I have read, understand, and will comply with the "Build America, Buy America" provisions as required by federal law. Furthermore, I understand that BABA provisions apply to any and all portions of this project, including subcontracted portions and that I certify to the best of my knowledge and belief that I will identify domestic sources of BABA-covered products, provide verification documentation for BABA-compliance, and when needed provide waiver documentation per current EPA guidance.

I understand that a false statement on this certification may be grounds for rejection or termination of any award.

Signature of Bidder Date

Printed Name and Title of Bidder

Name of Bidder's Company

Bidder's Company Address

Bidder's Telephone Number

BABA provisions apply to all projects with SRF Equivalency requirements listed on Intended Use Plans starting in Federal FY 2022 (State FY 2023). Equivalency projects that have been issued an SRF BABA Waiver should complete the "Bidder's American Iron and Steel Certification" (DES 2556) instead of this certification.

Instructions – DES 4360

PURPOSE: The Bidder's "Build America, Buy America" Certification is used to certify that, as required by federal law, all of the iron, steel, manufactured products, and construction materials permanently incorporated into a project funded with assistance by the State Revolving Fund are produced in the United States in a manner that complies with the BABA requirement, unless a waiver is granted by the Office of Management and Budget (OMB) or the U.S. Environmental Protection Agency (EPA).

GENERAL INFORMATION BABA guidance requires the following Buy America preference:

1. All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
2. All manufactured products used in the 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.
3. All construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

Additional information, including any published waivers, is posted on the EPA website, <https://www.epa.gov/cwsrf/build-america-buy-america-baba>.

INSTRUCTIONS: The contractor bidding on a project funded in whole or in part by the SRF will enter the SRF project number, name, and project sponsor's name (utility, town, etc.).

Certify that the contractor will comply with BABA requirements by signing the form. Include the date, name, and title of the bidder, name of bidder's company, bidder's address, and bidder's telephone number. Please note that BABA covered materials to be supplied by a subcontractor must be BABA compliant as well.

The Project Sponsor must submit this form from the winning bidder (typically as part of the bid package) either by email to the SCDES project manager or by mail to: State Revolving Fund Division, SCDES, 2600 Bull Street, Columbia, SC 29201.

SCDES REVIEW AND FILING: The SRF Division will use this form to document bidder compliance with BABA. The form will be kept in the Bidding file for the named project and will be retained for three years following the final SRF disbursement to the project's Sponsor - per Retention Schedule 15795.