

**KENTUCKY INFRASTRUCTURE AUTHORITY
BUILD AMERICA, BUY AMERICA ACT
COMPLIANCE CHECKLIST FOR BORROWERS**

Bipartisan Infrastructure Law (BIL) funds used for transactions involving contracts for any activity related to the construction, alteration, maintenance, or repair of infrastructure in the United States must comply with the Build America, Buy America (BABA) Act. This checklist provides an overview of the requirements established by BABA, and is not a substitute for the detailed provisions of Public Law No. 117-58, §§ 70901-27. Borrowers should keep the completed checklist for their records, but do not need to submit to Kentucky Infrastructure Authority (KIA).

CONTRACTOR/SUBCONTRACTOR:	
LOAN NUMBER:	
PROJECT TITLE:	
DATE:	

QUESTION	EXPLANATION/INSTRUCTION	STATUS		
		YES	NO	N/A
INCLUSION OF BABA LANGUAGE				
1. Was the BABA language included in all contracts and/or purchase orders?	You must incorporate the federal BABA language in all construction contracts and purchase orders for projects using funds from the Bipartisan Infrastructure Law (BIL).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Did the contractor include the BABA language in all subcontracts and/or purchase orders?	<p>You must ensure that that your contractor incorporated the federal BABA language in all subcontracts and purchase orders for projects using funds from the Bipartisan Infrastructure Law (BIL).</p> <p>While it is not required, it is recommended you request the contractor to submit copies of their subcontracts and purchase orders so you may verify the correct language was included.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VERIFICATION OF MANUFACTURER CERTIFICATIONS				
3. Has the contractor and their subcontractors obtained manufacturer certifications for material and product purchases?	<p>Although obtaining manufacturer certifications is not required, it is recommended as a best practice for documenting compliance with BABA.</p> <p>In addition, if your contractor and their subcontractors have obtained manufacturer certifications, it is recommended, but not required, that you ensure all applicable language was contained in the certifications.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PROCESSING OF WAIVERS				
4. Was a waiver submitted to KIA?	<p>Whether you or the contractor/subcontractor is seeking the waiver, it must first be submitted to KIA for their review and approval.</p> <p>After receiving KIA's approval of the waiver, KIA will submit the waiver request to the EPA.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
REQUEST FOR PAYMENT				
5. Was a monthly report included with the request for payment?	A monthly report detailing the work performed during the billing period must be submitted to KIA with each request for payment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Was the KIA Borrower Report of BABA Compliance form included in the request for payment?	This form must be submitted by the Borrower to KIA every month.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Was the KIA Certificate of Compliance form submitted by the contractor and their subcontractors?	This form must be submitted by the contractor and their subcontractors to the Borrower with every payment request.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>