800.437.5717
BiewerLumber.com

Build America Act / Buy American Act (BABAA) Compliance

This letter certifies that the Biewer wood products listed below meet the requirements of the Build America Act and the Buy American Act and are manufactured in the United States with American-sourced timber. Individual and specific compliance certifications for specific projects are available upon request.

(1)Biewer Pressure-Treated Lumber
(2)Select Cut® Lumber
(3)Biewer SPF
(4)Biewer SYP
(5)Biewer FRTW
(6)Pine River Group Products

BUILD AMERICA ACT / BUY AMERICAN ACT

Director Shalana Young, from the Executive Office of the President, Office of Management and Budget, issued a memorandum M-22-11 on April 18, 2022, titled "Initial implementation on Guidance of Application of Buy America preference in Federal Financial Assistance Programs for Infrastructure. Buy America requirements apply to purchases of iron, steel, lumber, drywall, and other manufactured products permanently incorporated into infrastructure projects. This means all manufacturing processes for the construction material occurred in the United States. In the memorandum, Director Young defines infrastructure as a project that includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Agencies should treat structures, facilities, and equipment that generate, transport, and distribute energy -including electric vehicle (EV) charging -as infrastructure."

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.

The Buy American Act applies to all U.S. federal government agency purchases of goods over $10,000 and under the Trade Agreement Act threshold (generally $182,000 for supply contracts and $7,008,000 for construction contracts). When purchased by federal entities for public use, the Act requires that these goods be produced in the U.S. and at least 50 percent of the cost of their components must come from the U.S. The same infrastructure uses as

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defined in the Buy America Act also pertain to the Buy American Act. Highlights from the U.S. Government Accountability Office, (U.S. GAO) state, “Two conditions must be present for the Buy American Act to apply: (1) the procurement must be intended for public use within the United States; and (2)the items to be procured or the materials from which they are manufactured must be present
in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality. The provisions of the act may be waived if the head of the procuring agency determines the act to be inconsistent with the public interest or the cost of acquiring the domestic product is unreasonable. Contracts awarded by State and local authorities under Federal grant programs are not covered by the act unless authorizing statutes explicitly provide for application of the act.

References

1. https://www.gao.gov/products/105519
2. https://www.energy.gov/sites/default/files/2016/07/f33/buy_american_desk_guide.pdf
3. https://www.federalregister.gov/documents/2020/09/14/2020-20116/federal-acquisition-regulation-maximizing-use-of-american-made-goods-products-and-materials
4. https://www.tradecommissioner.gc.ca/sell2usgov-vendreaugouvusa/procurement-marches/buyamerica.aspx?lang=eng
5. https://www.federalregister.gov/documents/2022/03/07/2022-04173/federal-acquisition-regulation-amendments-to-the-far-buy-american-act-requirements
6. https://uscode.house.gov/view.xhtmlpath=/prelim@title41/subtitle4/chapter83&edition=prelim

Job Name

Order #

Invoice #