

Build America, Buy America (BABA) Contract Addendum

This Contract Addendum (“Addendum”) is effective as of the date signed by the Project Owner and Contractor and is made part of the contract between the Parties, referenced below. This Addendum will supersede any inconsistent provisions in the Contract between the Parties.

Project Name:	
Project Owner:	
Contractor:	
Date of Contract:	

Contractor shall comply with the Build America, Buy America Act (“BABA”), enacted as part of the Infrastructure Investment and Jobs Act (IIJA), Pub. L. 117-58, and all implementing regulations, rules, and guidance, for all public infrastructure projects, as defined in 2 C.F.R. § 184.4. Contractor shall apply a domestic content procurement preference (“Buy America preference” or “BAP”) for all iron, steel, manufactured products, and construction materials incorporated into the Project, unless excepted by an applicable waiver, including such materials purchased or installed by any subcontractors, vendors, or suppliers. Contractor shall obtain and maintain records sufficient to demonstrate compliance with BABA, including supplier labels, manufacturer certifications, waiver documentation, and purchase tracking, for the longer of the applicable HUD program record retention period or five (5) years after completion of construction, and shall make such records available for review by the Project Owner, Kentucky Housing Corporation, HUD, other federal agencies, and auditors upon request. Contractor shall include the substance of this clause in all subcontracts, purchase orders, and supplier agreements of any tier and shall remain fully responsible for compliance by such parties.

By signing below, the Parties agree to this Addendum.

Project Owner Signature:	Contractor Signature:
Date:	Date: