



### **Federal Financial Assistance (FFA) Waiver Submission Form**

Pursuant to [M-24-02](#), all waiver requests must include a detailed justification for the use of goods, products, or materials mined, produced, or manufactured outside the United States and a certification that there was a good faith effort to determine domestic manufacturing production capacity, including, where relevant, soliciting bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with potential suppliers. The waiver submission form will support efficiency of waiver submission and review process, and ensure agencies are providing the necessary information for the MIAO to run an efficient process in evaluating waivers as well as support a more standardized and predictable process.

This form should be completed by Federal agencies and submitted alongside proposed waiver text and is an opportunity for agencies to provide greater specificity with respect to the need for the waiver, market research conducted and additional considerations, as necessary.

Agencies should note in the document where items are not applicable.

#### **Waiver Submitter**

1. Name (Last, First):
2. Submitter Email:
3. Submitter Phone Number:
4. Federal awarding Agency Name:
5. Awarding Agency Common Governmentwide Accounting Classification (CGAC) Code:
6. Federal Awarding Bureau/Office Name, if applicable:

#### **Waiver Information**

7. Type of waiver: Unreasonable Cost ☐ Public Interest ☐ Nonavailability ☐
8. Waiver Coverage, i.e., project specific, award specific, agency-wide, etc.:

### Financial Assistance Information

Questions 9 through 14 may be most relevant for project- or award-specific waivers.

9. Recipient Name:
10. Recipient Unique Entity Identifier (UEI):
11. Financial Assistance Listing Name:
12. Federal Assistance Listing Number:
13. Federal Financial Assistance Program Name:
14. Federal Award Identification Number (FAIN), if available:
15. Federal Financial Assistance funding amount and total estimated infrastructure funding amount.
  - a. Federal financial assistance funding amount:
  - b. Total cost of infrastructure expenditures, including all Federal and non-Federal funds:
16. Infrastructure project description and location (to the extent known). Describe types of infrastructure activities funded (i.e., EV chargers, solar and wind projects, road construction, building construction, etc.). Are products used in projects funded by other agencies? Have agencies collaborated to conduct market research?
  - a. The proposed project consists of the following major infrastructure activities:
  - b. The proposed project location is:
17. Funding mechanics.
  - a. Formula or discretionary:
  - b. Is there pre-award authority?<sup>1</sup>
  - c. Average size and length of projects, i.e., are projects generally small and single-year or large, complex, and multi-year?

### Iron, Steel, Construction Materials and Manufactured Products

18. Describe iron or steel item(s), manufactured products, and construction material(s) proposed to be excepted from Buy America requirements, including name, cost, country(ies) of origin (if known), and relevant PSC and NAICS code for each:

This waiver seeks an exception to Buy America requirements for the following items:

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<sup>1</sup> Authority given under specific and limited circumstances to incur costs for eligible project activities before the Federal Award Date.

a. Name of Product:

Cost:

Country of Origin/Manufactured (if known):

NAICS:

PSC:

b. Name of Product:

Cost:

Country of Origin/Manufactured (if known):

NAICS:

PSC:

**Waiver Justification**

19. Market Research and Outreach. Discussion of relevant market research and outreach conducted:

20. Certification that the Federal official or assistance recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor. 24 Executive Order, § 4(c). 25 IIJA, § 70937(c)(2)(A). 26 IIJA, § 70937(c)(2)(D):

21. Justification. The justification explains the need for the waiver as connected to one of the three waiver types: nonavailability, unreasonable cost, or public interest.

22. Narrative Discussion. Discuss the impact absent the waiver, actions the agency has taken to implement BABA and expected outcome.

23. Required Assurance. The waiver must contain the required assurance from M-24-02. Include analysis whether significant cost advantage of foreign sourced product is the result of the use of dumped steel, iron, or manufactured products or the use of injuriously subsidized steel, iron, or manufactured product. This is most relevant for unreasonable cost waivers, but all waivers are required to certify whether or not this applies (not applicable to nonavailability waivers).

**Summary of Public Comments:** *For final waivers, provide a summary of relevant comments received through the public comment period.*

**-- END OF FORM**