**Suggested language for the Buy America Preference (BAP) per the Build America, Buy America Act (BABA):**

**To be included in all Public Facilities, Housing, and HOME contracts**

##. Compliance with the Build America Buy America Act at Notice CPD-2023-12

1. The Agency must comply with the requirements of the Build America, Buy America (BABA) Act, 41 U.S.C. 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Agency's infrastructure project. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001), any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver.