



ConnectLA

Louisiana Office of Broadband
Development & Connectivity

Build America Buy America Subrecipient Guide **ConnectLA BEAD Program**

DISCLAIMER

This information is provided as guidance to assist Internet Service Providers (ISPs) in understanding Build America, Buy America (BABA) compliance under the BEAD Program. This guide is subject to change based on updates from the National Telecommunications and Information Administration (NTIA). In the event of any inconsistencies between this document and NTIA-issued guidance, the NTIA guidance takes precedence. Subrecipients are encouraged to regularly review official NTIA resources and consult with ConnectLA for clarification.

OVERVIEW

The Broadband Equity, Access, and Deployment (BEAD) Program is part of the federal Infrastructure Investment and Jobs Act (IIJA), which allocates funds to expand broadband infrastructure to unserved and underserved areas across the United States. ConnectLA serves as the administering entity for Louisiana. In Louisiana BEAD I known as Granting Unserved Municipalities Broadband Opportunities (GUMBO) 2.0.

Subrecipients participating in GUMBO 2.0 are responsible for being compliant with federal requirements, such as Build America, Buy America (BABA). The BABA requirement ensures that all federally funded infrastructure projects use U.S.-produced materials, supporting domestic manufacturing and economic growth.

KEY REQUIREMENTS

- **Iron and Steel:** All manufacturing processes (melting, coating, fabrication) must occur in the United States.
- **Manufactured Products:** At least 55% of the total cost of components must be U.S.-sourced.
- **Construction Materials:** Manufacturing processes must occur substantially in the U.S.

STEPS FOR SUBRECIPIENTS

Additional guidance is forthcoming. In the meantime, Subrecipients have the option to begin creating systems to ensure BABA compliance. Below are suggestions of steps the subrecipients can take prior to implementing their projects.

1. Stay abreast of the latest guidance available that is provided by NTIA through the **Broadband USA Technical Assistance hub** found [HERE](#).
2. Source U.S.-compliant materials and obtain **manufacturer certification letters**. Sample letter provided in *Appendix A*.
3. **Maintain records** of all products, including origin and compliance status.
4. Be knowledgeable about **BEAD approved waivers**, which can be found [HERE](#).
5. Utilize the NTIA provided resources. Such as the [BEAD BABA Self Certification List](#) and the [NIST/MEP Supplier Scouting Services](#).
6. Submit **required documents** to ConnectLA on a to-be-determined schedule using the compliance portal, which can be accessed [HERE](#).

WAIVED PRODUCTS

Waivers were issued by the NTIA under non-availability provisions after public consultation and review. NTIA considered supply chain challenges and market realities for critical broadband deployment equipment. Subrecipients may still be required to justify waived product use and report procurement details to ConnectLA. (See page 3 for helpful links, including a link to NTIA waivers)

Certain broadband products currently have BABA waivers, including:

- **Fiber Optic Cable Components:** Certain components, such as non-optic glass inputs (e.g., overclad cylinders), are waived due to non-availability.
- **Optical and electronic equipment such as:**
 - Routers
 - Switches
 - Power systems
 - Radios
 - Optical amplifiers
 - Antennas and antenna arrays
 - Network-facing optic pluggable

Important Note: Regular reporting on waived products is still required.

REPORTING REQUIREMENTS

The National Telecommunications and Information Administration (NTIA) has outlined specific reporting requirements for subrecipients under the Build America, Buy America (BABA) provisions of the Broadband Equity, Access, and Deployment (BEAD) Program. Subrecipients are required to submit regular reports detailing the use of both compliant and waived products. ConnectLA will make efforts to automate BABA reporting through the Ready Platform.

What must be reported:

- **BABA-Compliant Products:** Include product descriptions, origins, and certifications.
- **Waived Products:** Subrecipients must report on all waived electronics and materials, including the use, justification for the waiver, and sourcing attempts.
- **Waiver Justification:** Reports must provide detailed evidence of good-faith efforts to source domestic products before using waived items. This ensures transparency and accountability in procurement.

Additionally, subrecipients will report on waived electronics as part of their overall BABA compliance reporting requirements. Key elements of the reporting tracker are:

1. Name of Manufacturer
2. Category of electronic product (e.g., router, switch, power system, radio, etc)
3. HS Code (10 digit)
4. Product Identifier (e.g., Stock Keeping Unit (SKU), Product ID, Part No., etc.)
5. Common language description of the product's function
6. Country of origin
7. Quantity

Appendix A: Sample Manufacture Certification Letter



Appendix A – Sample Manufacturer Certification Letter

Key Elements

FACTORY COMPANY

Factory Company
100 Maine Road
Portland, ME 04101
+1-207-773-1234

July 1, 2024
USA Telecom Company
1731 Foreside Drive
Falmouth, ME 04050

MANUFACTURER CERTIFICATION

Subject: Build America Buy America Certification [for project name and location if known]
Manufacturer Name: Factory Company (Portland, ME)

To Whom It May Concern:

I, (company representative), hereby certify that the following products and/or materials are in full compliance with the Build America Buy America (BABA) requirements and associated waiver for the Broadband Equity Access and Deployment Program (BEAD) as mandated in the Infrastructure Investment and Jobs Act (IIJA) Pub. L. No. 117-58, §§ 70901-52 and by the U.S. Department of Commerce.

Construction Materials and/or Manufactured Products:

Product Name	Product Description	Quantity

The above listed materials and products were manufactured at the following location(s):

- City, State

If any of the above compliance statements change, we will immediately notify the BEAD subrecipient.

Signature of Authorized Company Representative:

X Jane Doe July 1, 2024
Jane Doe Date
Product Manager, Authorized Representative
Factory Company
Email
Phone