



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

MI Solar Access

REQUEST FOR PROPOSALS

Issue Date: March 18, 2024

Response Due: March 31, 2025

**Michigan Department of Environment, Great Lakes, and Energy
525 West Allegan Street
Lansing, Michigan 48933**

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MI Solar Access Request for Proposals

PART I GENERAL INFORMATION

I-A Purpose

The Michigan Department of Environment, Great Lakes, and Energy's (EGLE) Energy Unit is offering grants to help address clean energy access roadblocks for communities through its MI Solar Communities - MI Solar Access Program. MI Solar Communities is a platform that provides Michigan residents information on technical assistance and programs for obtaining solar within their community. The MI Solar Access Program contains two components: (1) it uses a community solar model to enable low to moderate income customers to benefit from solar, obtain energy efficiency upgrades, and save on their electric bills; and (2) it utilizes MI Solarize model to provide support to businesses, organizations, and interest groups to deploy solar energy for their own building. The program represents a close partnership between local electric utilities, state government, organizations, and weatherization entities. The program offers households a subscription to lease a set number of panels for a specified number of years. The State anticipates the grant period will start April 1, 2024, and will end on August 31, 2025.

I-B Program Description

EGLE protects Michigan's environment and public health by managing air, water, land, and energy resources, and is focused on addressing climate change, diversity, equity, and inclusion. In fiscal year (FY) 2024, EGLE will provide grants to support solarize initiatives and community shared solar energy projects in an effort to increase homeowners access to renewable energy. Applicants must consider the following program objectives, priorities, and tasks in the planning of their proposal.

1. Program Objectives

- a. Expand access to solar regardless of households' ability to install solar panels on their property.
- b. Provide potential financial savings on energy costs to subscribers.
- c. Promote the environmental benefits to participants of how solar helps reduce the reliance on fossil fuels and contributes to a more sustainable energy grid.
- d. Foster equity and inclusivity of access to the economic and environmental benefits of solar energy.
- e. Promote energy benchmarking and auditing to increase understanding of energy use.
- f. Promote energy efficiency upgrades in appliances, lighting, and building envelopes to reduce energy use and costs.

- g. Promote community engagement, outreach, and education to increase public awareness and involvement in energy-related activities.
2. Program Priorities
- a. Showcasing energy waste reduction and renewable energy as an affordable, reliable, adaptable, and environmentally protective solution for Michigan's energy future. Energy waste reduction, as defined in the Clean and Renewable Energy and Energy Waste Reduction Act, PA 342 of 2016, as amended, includes energy efficiency, load management, and energy conservation.
 - b. Use of energy audit/assessment results, from a recognized provider (such as the [Weatherization Assistance Program](#)) to guide energy efficiency investments.
 - c. Increasing accessibility to renewable energy and energy waste reduction and the associated benefits for a broad range of end-users.
 - d. Strategic deployment of renewable energy and energy waste reduction across the state that leverages regional strengths and opportunities.
 - e. Increasing opportunities for business investment, talent enhancement, state branding, and community vitality.
 - f. Support the goals of the MI Healthy Climate Plan.
3. Applicant Tasks
- NOTE: Applicants must clearly and succinctly explain how they will accomplish each required task below **during the grant period**.*
- a. Determine and identify the local utility provider that will be the solar energy host.
 - b. Determine and identify the local weatherization operator that will be able to qualify subscribers for the comprehensive energy assessment, energy efficiency upgrades, and solar access.
 - c. Ensure proper and best use disposal of materials used or removed through the project work (recycling, electronic waste disposal, etc.).
 - d. Promote and market program to encourage households to enroll into program.
 - e. Educate subscribers about the benefits of an energy assessment, energy efficiency upgrades, solar energy adoption, and other financial savings.
 - f. Conduct a preliminary and post customer survey to participants (not applicable to MI Solarize applicants).
 - g. Conduct preliminary and post energy data analysis.

I-C Grant Award

A minimum of \$320,000 in funding is expected to be available, with the average individual grant awards ranging from \$80,000-\$100,000. Selected grantees must allocate at least 85 to 100 percent (%) of the total awarded grant funding to low-income households, household income should be at or below 200% of the federal poverty line. Applicant(s) must provide a complete Budget using the [Approved Budget Form with Narrative](#) (See Section II-B). Budgets must be itemized and be accompanied by a budget narrative which adequately describes

each budget category. This is a reimbursement-based opportunity: costs must be incurred and paid for before they are reimbursed. The grant(s) awarded from this RFP will be subawards of either the State's federal award from the United States Department of Energy's State Energy Program (SEP) or the Energy Efficiency and Conservation Block Grant Program. As such, the grant will adhere to all federal grant requirements.

All applicants must provide a **minimum 50% match** of the total requested grant funds (also known as [aka] "State share"). Reference section IV-A for details on acceptable match types. The sum of the State share plus the Recipient share of allowable costs will equal the total allowable project cost.

The Energy Unit will award funds to applicants that agree to the terms set forth in this RFP and the [Grant Agreement](#). The Energy Unit, an entity within the Department of Environment, Great Lakes, and Energy (EGLE), will be the primary contact with selected applicants to negotiate the scope of work, budget, reporting periods, report format, and reporting content. All other requirements are non-negotiable. Funds must be expended by August 25, 2025.

I-D Eligibility Criteria

Any local government, electric utility, business, or non-profit organization physically located in either a municipal or cooperative electric utility territory in Michigan, are eligible to apply (if a non-profit organization or business is not physically located in a municipal or cooperative electric utility territory, then the project must be serving a municipal or cooperative community, and the business physically located in Michigan to be eligible.). For purposes of this RFP, the following types of entities are eligible to apply:

- Cooperative Utility;
- Municipal Utility;
- Local or tribal government;
- Non-profit organization; or
- Small- to Medium-sized business.

Eligible projects include:

1. Design a MI Solarize or MI Community Shared Solar program to determine number of subscribers and relevant partners involved.
2. Enter into an agreement with local municipal or cooperative utility to purchase solar block subscriptions, for the lifetime that the panel leases for (i.e., 15 to 25 years).
3. Identify, enroll, and weatherize income-qualified households while in partnership with a local Community Action Agency or similar entity.
4. Educate subscribers about the program and provide any supporting marketing materials and educational package.
5. Subscribers must participate in at least one, one-hour, educational session about energy efficiency or renewable energy.
6. Develop and implement a comprehensive home energy assessment.

7. Supply the solar credit information on the subscribed low-income, qualified households' utility bill.
8. Collect and track energy consumption of the households prior to weatherization services, after weatherization services, and throughout enrollment period of community solar program into a shared database (Solarize recipients will utilize ENERGY STAR Portfolio and share the data).
9. Assist with identifying eligible households to enroll on an annual basis, and household must go through the program's standard enrollment procedure (weatherization services, customer survey, etc.).
10. Conduct preliminary and post customer surveys of the program.
11. Procurement of solar installer/developer, legal, and technical support.
12. Develop, implement, and install solar electricity/photovoltaic systems, provided that projects adhere to the requirements of the respective applicant's DOE executed Historic Preservation Programmatic Agreement, are installed in or on existing buildings, do not require ground disturbance, tree removal or tree trimming, do not require structural reinforcement, and are not to exceed 60 kW DC.
13. Develop and install energy storage systems, including electrochemical and thermal storage systems, provided that projects adhere to the requirements of the respective applicant's DOE executed Historic Preservation Programmatic Agreement, are installed in or on existing buildings, do not require ground disturbance, tree removal or tree trimming, do not require structural reinforcement, and are appropriately sized not to exceed 1,000 kWh.
14. Implement financial incentive programs including rebates; energy savings performance contracts, renewable energy sharing, or energy savings agreements for existing facilities; community solar credit sharing arrangements; and grants and loans to support energy efficiency, renewable energy and energy saving projects. All project activities funded under a financial incentive program must be listed within this statement of work.
15. Renewable energy projects greater than 60kW for solar arrays must adhere to the requirements of an environmental assessment study under the [National Environmental Policy Act \(NEPA\) of 1969](#) (42 United States Code, Section 4321, *et seq.*), unless the applicant can show proof of the U.S. Department of Energy's approval of the project.

Impacted facilities must be occupied and have long range plans of continued use. All eligible applicants must provide a Unique Entity Identifier (UEI) number from the System for Award Management (SAM.gov) website. **UEI registration can take up to 10 business days to become active.**

I-E Ineligible Projects

1. Projects deemed illegal under the law or inappropriate under contract management standards.
2. Projects considered scientifically unsound or significantly increase risks to workers and/or the public.

3. Projects that will not be conducted in Michigan.
4. Solar electricity/photovoltaic systems or energy storage systems not operated in a municipal or cooperative electric utility service territory.
5. Projects involving demonstration of non-commercially available equipment and technologies.
6. Projects that cannot be shared with or have restricted transferability to other entities in Michigan.
7. Infrastructure projects wherein the construction materials, manufactured products, and iron and steel are not produced in the United States (See Section IV-K).

I-F Issuing Office and Point of Contact

This Request for Proposals (RFP) has been issued by EGLE's Energy Unit. Questions that arise as a result of this RFP must be submitted to the Energy Unit by email only. All questions must be submitted on or before 5:00 p.m. (ET), April 11, 2024. All questions regarding this solicitation should be directed to:

Lisa Thomas
ThomasL17@Michigan.gov

I-G Changes to the RFP and Responses to Questions

Written answers to questions, changes, and/or clarifications will be posted on the [program webpage](#) by April 18, 2024.

I-H Proposals

To be considered, applicants must submit a complete response to this RFP, addressing the Program Objectives, Program Priorities, and Applicant Tasks listed in the Program Description I-B, and using the format and attachments provided in Part II

I-I Response Date

Proposals will be accepted until all funding is expended, or until 5:00 p.m. (EST), March 31, 2025, whichever comes first. Awards will be granted on a first come, first served basis, at the discretion of the Energy Unit and program priorities. If an application has something missing, EGLE will reach out to the applicant and allow one week for the applicant to submit the missing information.

PART II INFORMATION REQUIRED FROM APPLICANTS.

NOTE: The following information must be submitted by all applicants to be considered. *Failure to attach/include the requested information will result in the rejection of the proposal.*

1. Application ([see link and instructions below](#))
2. Approved Budget Form ([see link and instructions below](#))

3. If an indirect cost rate is used in the budget, the Certificate of Indirect Costs (included in the Proposal Worksheet) must be selected, signed, and submitted.
4. Additional Attachments:
 - a. Detailed Timeline – timeline for successfully completing each required task, including key sub-tasks and critical decision points to be undertaken during the grant.
 - b. Applicant Organizational Chart – organizational chart detailing the management structure of the applicant organization.
 - c. Most recent copy of the A-133 or outside audit OR the most recent financial statements (balance sheet and income statement). Applicants that receive cumulative federal funding of over \$750,000, or that receive a single state award over \$500,000 are required to provide an A-133 single audit.
5. If Applicable:
 - a. Charitable organizations and professional fundraisers (unless exempt) must complete Michigan Charitable Trust Registration
For more information, please visit the [Attorney General's website](#).
 - b. Parent Organizational Chart – organizational chart detailing the management hierarchy of the Parent Organization, and its relationship to the applicant organization.
 - c. Partner Organizational Chart – organizational chart detailing the management hierarchy of the Partner Organization, and its relationship to the applicant organization. Attach an organizational chart for each Partner Organization.
 - d. Letter(s) of support / commitment from Partner Organization(s).
 - e. [State Historic Preservation Office \(SHPO\) Section 106 Review Form](#) (see link and instructions below)
 - f. [National Environmental Policy Act \(NEPA\) Form](#) (see link and instructions below)
 - g. Build America, Buy America Act (BABA) [Waiver Request Form](#)

Please see instructions below for additional information:

II-A Online Application

Complete the [Online Application](#). Questions marked with an asterisk (*) require a response. Applicable materials listed in Section II must be uploaded within the Online Application. Applicants can submit their completed Online Application by clicking "Submit" button on the bottom of the application page.

NOTE: DO NOT CLOSE THE ONLINE APPLICATION PRIOR TO SUBMITTING, OR ELSE ALL PROGRESS WILL BE LOST.

II-B Approved Budget Form

1. Applicant(s) must use the [Approved Budget Form with Narrative](#). All budget categories must be addressed. Please use "N/A" or "None" to indicate there are no costs associated with a given budget category.

2. The following costs are **disallowed**: sick pay, holiday pay, paid vacation time, payroll taxes, vehicles, computers, real property (e.g. land and buildings), parking, tuition reimbursement/remission, vehicle allowance, car rental, subscriptions, dues, memberships, and repair of buildings and structures.
3. All applicants must provide a **minimum 50% match** of the total requested grant funds (aka “State share”). The sum of the State share plus the recipient share will equal the total allowable project cost.
4. **Fringe Benefits** – Applicant(s) will be required to justify the fringe rates given in their proposed budget prior to an agreement being finalized. If fringe cost rates are approved by a federal agency, identify the agency and date of latest rate agreement, and include a copy of the rate agreement. If fringe cost rates are not approved by a federal agency, explain how total fringe benefit costs were calculated. Your calculations should identify all rates used and the base amount they were applied to. Please include how the base was derived, and a total for each.
5. **Contractual Services** – include all anticipated service contracts required for the project. All sub-recipients, vendors, contractors, and consultants and their estimated costs should be identified. Provide the vendor or contract name, the service to be provided, and the dollar amounts to be paid using grant funds and/or matching funds. Use to be determined if the entity is unknown. Include the basis of cost for each item (competitive, historical, quote, catalog, etc.).
6. **Equipment** – All Equipment expenses must be justified in your proposal. If the equipment is being proposed as cost match and was previously acquired, provide the value of its contribution to the project and a rationale for the estimated value shown. If it is new equipment that will retain a useful life upon completion of the project, provide a rationale for the estimated value shown. Also, indicate whether the equipment is being used for other projects or is 100% dedicated to this project. Equipment purchases over \$5,000 will require additional documentation, such as Lien or Uniform Commercial Code Filing, and the State of Michigan listed as the lienholder/creditor for five years prior to reimbursement.
7. **Travel** – All listed travel must be necessary or beneficial to the performance of the proposed project. State of Michigan travel rates must be used for all travel expenses. The most recent State of Michigan Travel Rates are posted by the [Michigan Department of Technology, Management & Budget](#).
8. **Indirect Rate** – Provide the indirect rate (up to 10% maximum) used by applicant’s organization as a percentage of **total direct cost**. If the applicant’s indirect cost rate has been approved by a federal agency, identify the agency, date of the latest rate agreement, and submit a copy of the agreement with the application.
Note: Applicant(s) will be required to justify their indirect rate given in their budget if it exceeds 10% All applicants including an indirect rate must sign and submit the [Certificate of Indirect Costs](#).
9. **Incurring Costs** – The State is not liable for any costs incurred by an applicant prior to issuance of a [Grant Agreement](#). The following

documentation will be required by selected applicants to receive reimbursement:

- a. Receipt/Invoice or payroll summary for cost incurred.
- b. Proof of payment via bank statement, ACH payment, or scanned cashed check.

Note: All match types (cash, in-kind, third-party) will be held to the same documentation requirements.

Additional Budget Information:

1. In the event of a partially funded proposal, selected applicant(s) will be required to submit a revised proposal before entering into a Grant Agreement. The proportion of direct costs to indirect costs will remain the same as in their original request. *New line items to the revised budget are not allowed.*
2. Selected applicant(s) assumes the responsibility for ensuring the grant project is performed within the established timeline.
3. If the entire State share of the grant award is expended, the entire in-kind and/or matched funds must be spent and supported by source documentation. If the entire State share of the grant award is not spent, the in-kind and/or matched funds may be reduced proportionately by the percentage of the grant award not spent.
4. Selected applicant(s) may not commingle award funds with current or future awards received from the U.S. DOE. Financial assistance from each funding source must be managed, reported, and accounted for separately from all other funding sources.
5. Should selected applicant(s) cease business operations or dissolve the program established under the grant agreement, existing capital must be returned to the State of Michigan.

II-C Certificate of Indirect Costs

If an indirect cost is included in the proposed budget, it must be certified using the [Certificate of Indirect Costs](#). The certificate must be signed on behalf of the organization by an individual at a level no lower than vice president or chief financial officer of the organization that submits the proposal. This certification is included within the proposal worksheet and must be checked to certify.

PART III SELECTION CRITERIA

All proposals received shall be subject to an evaluation by EGLE’s Energy Unit. The evaluation will be conducted in a manner appropriate to select the applicant(s) for the purpose of entering into a [Grant Agreement](#) to perform the proposed project within the established timeline. Initial screening of the applications will be conducted to ensure applicants and projects meet all eligibility requirements.

Proposals failing to meet the eligibility requirements described in Sections I-C, that do not comply with the requirements of the Grant Agreement, and/or which are incomplete,

will be rejected automatically. Proposals meeting the eligibility requirements will be evaluated according to the scoring criteria and weighting factors below.

III-A Scoring of Proposals

Total maximum points are 100.

Project Scope & Objectives (25 Points)

Proposals will be evaluated based on the scope of work, its merit, and the quality of information submitted. The proposal problem statement, goals and objectives, and timeline are of special interest.

Project Feasibility (25 Points)

Proposals will be evaluated on their likelihood of success and feasibility to achieve the purpose, outcomes, and tasks required by this RFP within the established timeframe.

Project Impact (15 Points)

Proposals will be evaluated on their anticipated short and long-term impacts.

Experience of Organization/Project Team (20 Points)

Proposals will be evaluated on the experience and qualifications of the organization and project team in carrying out related projects.

Program Priorities (5 Points)

Proposals will be evaluated on the incorporation of the program priorities, MI Solar Access (see Part I, Section I-B).

Diversity Equity and Inclusion (5 Points)

Proposals will be evaluated on whether the applicant participates in a program certification such as minority-owned businesses, Veteran-owned businesses, woman-owned businesses, and/or businesses owned by economically disadvantaged populations as defined by federal or state government.

Environmental Justice (5 Points)

Proposals will be evaluated on whether the proposed program takes place in or benefits an Environmental Justice Community based on the [EGLE MiEJScreen](#) and [Environmental Protection Agency's EJScreen](#) tools.

III-B Project Clarifications/Revisions

During the proposal review process, applicants may be contacted for clarification and for the purpose of negotiating changes in project activities, timetables, and budgeted costs. The Issuing Office reserves the right to award funds for an amount other than that requested and/or request changes to, or clarification of, the proposed project.

III-C Rejection of Proposals

EGLÉ's Energy Unit reserves the right to reject any and all proposals received as a result of this RFP or to negotiate separately with any source whatsoever in any manner necessary to serve the best interest of the State and the Energy Unit. The Energy Unit will not pay for the information solicited or obtained as a result of a consultant/vendor's response to any RFP.

III-D Acceptance of Proposal Content

The contents of this RFP and the proposal of the selected applicant become grant obligations if a grant award ensues. Failure of the selected applicant to accept these obligations shall result in cancellation of the award.

The successful applicant(s) will be required to accept all terms and enter into a Grant Agreement with the State within 45 calendar days of being notified of funding availability. The Agreement consists of standard contract language, applicant's work plan, timetable, and budget information, a compensation clause that adheres to guidelines in this solicitation, and terms and conditions that outline additional requirements.

PART IV ADDITIONAL INFORMATION

IV-A Acceptable Match Types

Applicants may use cash, bond proceeds, tax-exempt leasing and/or Michigan SAVES financing for some or all of their match, and those that do will receive favorable consideration. Match may be categorized as in-kind or monetary from a third-party, or in-kind or monetary from the applicant organization. Match is subject to the same backup documentation as expenses incurred.

IV-B SIGMA Vendor Registration

All selected applicants must be registered as a vendor of the State of Michigan on the SIGMA Vendor Self Services (VSS) before entering into a Grant Agreement. If you are an existing vendor and have an account in [Sigma VSS](#), please verify that all your account information is correct. If not, please use the [Sigma VSS](#) to register. This website is for the exclusive use of the vendors and individuals intent on doing business with the State of Michigan and allows you to be paid in the event that you are awarded a contract. **Your registration may take up to two weeks to be processed.**

IV-C News Releases

News releases (including promotional literature and commercial advertisements) pertaining to the Grant or project to which it relates must not be made without prior written State approval, and then only in accordance with the explicit written instructions of the State.

- IV-D Disclosure of Proposal Contents
All information in a bidder's proposal and any Grant resulting from this RFP is subject to the provisions of the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231, *et seq.*
- IV-E Copyrighted Materials
See Section VI of the [Grant Agreement](#) for a summary of intellectual property provisions.
- IV-F Prime Applicant Responsibilities
The selected applicant will be required to assume responsibility for all grant activities offered in the proposal, whether or not that applicant performs them. Further, the State will consider the selected applicant (Recipient) to be the sole point of contact with regard to grant matters, including but not limited to payment of any and all costs resulting from the anticipated grant. If any part of the work is to be subcontracted, the Recipient must notify their Grant Manager and identify the subcontractor(s), including firm name and address, contact person, complete description of work to be subcontracted, descriptive information concerning subcontractor's organizational abilities, Federal Employer Identification Number (FEIN), UEI number, and/or state license number. The State reserves the right to approve subcontractors for the project and to require the Recipient to replace subcontractors found to be unacceptable. The Recipient is totally responsible for adherence by the subcontractor to all provisions of the Grant. For additional information, see Section VII and VIII of the [Grant Agreement](#) for a summary of delegation provisions.
- IV-G Partner Responsibilities
Organizations partnering with selected applicant(s) must comply with the requirements of the solicitation and will be held to the same standards as prime applicants.
- IV-H State Historic Preservation Office (SHPO) Section 106 Review Form
If the applicant is conducting ground-disturbing activity or work on a building(s) that is/are at least fifty years of age or older, applicant must complete in full the State Historic Preservation Office Application for Section 106 Review. The review process must be completed prior to the expenditure of federal funds. No project that results in an adverse effect to a historic property will be considered for funding. Projects may be modified to avoid adverse effects. **Submit this form with your proposal. EGLE's Energy Unit will review and forward to the State Historic Preservation Office as necessary.**
- IV-I National Environmental Policy Act (NEPA) Form
All activities undertaken with grant funds must comply with the [National Environmental Policy Act \(NEPA\) of 1969](#) (42 United States Code, Section 4321, *et seq.*). It is the Recipient's responsibility to acquire all necessary environmental

permits to operate in the State of Michigan. **Submit [this form with your proposal for review](#).**

IV-J Davis-Bacon Act Requirements

The Davis-Bacon Act requires that all laborers and mechanics that are non-government employees receive prevailing wages. This requires that the Department of Labor wage rate report is included with agreements that are affected by the Davis-Bacon Act requirement. If applicable, all positions that are related to an agreement subject to the Davis-Bacon Act must be classified accordingly. Weekly time reporting requirements and necessary forms are listed in the Grant Agreement, Addendum to Part II. Detailed information about the Davis Bacon Act can be found at the [U.S. Department of Labor website on Federal Contracts-Working Conditions](#).

IV-K Build America, Buy America Act Requirements

The [Build America, Buy America Act \(BABA\)](#), enacted as part of the [Infrastructure Investment and Jobs Act](#), established a domestic content procurement preference for all federal financial assistance obligated for infrastructure projects after May 14, 2022.

Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. All iron and steel used in the project are produced in the United States – this means all manufacturing processes, from initial melting stage through the application of coatings, occurred in the United States;
2. All manufactured products used in the project are produced in the United States – this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55% 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; and
3. All construction materials¹ are manufactured in the United States – this means that all manufacturing processes for the construction materials occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable

¹ Excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure nor permanently affixed to the infrastructure project.

“Construction materials” includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives—that is or consists primarily of:

- Non-ferrous metals;
- Plastic and polymer-based products (including polyvinylchloride; composite building materials, and polymers used in fiber optic cables);
- Glass (including optic glass);
- Lumber; or
- Drywall.

“Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

“Infrastructure” includes, at a minimum, the structures, facilities, and equipment in the United States, for 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. Infrastructure includes facilities that generate, transport, and distribute energy.

“Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States.

Waiver Process

When necessary, an applicant may request a waiver from the BABA requirements. This request must be first submitted to EGLE since EGLE is the prime recipient of the federal funds. EGLE will then review the waiver request, and if warranted, submit it to the DOE. Waiver requests are subject to review by the DOE and the Office of Management and Budget (OMB), as well as a public comment period of no less than 15 calendar days. Waiver requests will be made publicly available on DOE’s and OMB’s websites. The DOE may reject or grant waivers in whole or in part depending on its review, analysis, and/or feedback from OMB or the public. Waiver requests may take up to 90 calendar days to process. **To be considered for a waiver from the BABA requirements, submit [this form](#) with your proposal for review.**

NOTE: A proposal that fails to meet the BABA requirements without an approved waiver request will not be eligible for funding.