

# Conformance with the Buy America, Build America Act

Title IX of the Infrastructure Investment and Jobs Act of 2021 (Pub.L. 117-58, §§ 70901-70953)

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\*SUPERSEDES EXISTING DOCUMENTS

Atlas Roofing Corporation is committed to ensuring products meet the requirements of our customers. Regarding the Buy America Act and its more specific extension the Build America, Buy America Act, the regulation does not require that a building product manufacturer certify compliance for their products. It does require:

“All construction materials used in projects must be manufactured in the United States. This means all manufacturing processes for the construction material occurred in the United States. As an additional step to ensure compliance when purchasing products for the project, FEMA award recipients or sub-recipients may request a certification letter from the product manufacturer to demonstrate compliance with BABAA requirements. **Although requesting manufacturer certifications is not required**, FEMA recommends this step as a best practice for documenting compliance with BABAA.”<sup>1</sup>

Atlas Roofing Corporation manufactures rigid polyisocyanurate foam insulation boards at six United States facilities. All Atlas product brands manufactured at these six facilities comply with the BABAA requirements. Atlas products manufactured in the United States also satisfy the minimum domestic component cost limits established in the Buy American Act<sup>2</sup>. Specifiers may include Atlas polyisocyanurate foam board products into their projects and be assured of compliance with the regulation.

In the event that a project requires certification to prove compliance, the following information must be provided to Atlas in order to generate a signed, project specific certificate.

- The project name and address, including the city and state
- The Atlas product(s) used on the project
- The location of the Atlas facility supplying the project
- The date that the project began using the Atlas products, for verification

Because specifiers must vet available materials well in advance of their projects coming to fruition, this technical bulletin serves to assure the products will meet the requirements when actual products are installed.

Note that Atlas Roofing Corporation also manufactures polyisocyanurate foam board products in two Canadian facilities, and those products would not meet the BABAA requirements. Potentially some US projects may be sourced from one of these Canadian facilities. It is the responsibility of the material distributor to ensure Atlas is aware of BABAA projects so that compliant products are provided when needed.

<sup>1</sup> BABAA Best Practices, Documenting Compliance with Build America, Buy America Act (BABAA) Requirements, Procurement Disaster Assistance Team (PDAT) 2023, FEMA.

<sup>2</sup> 48 CFR Part 25, Subpart 25.2 - Buy American - Construction Material.