DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBJECT: Final: Project-Specific Nonavailability Waiver of Build America Buy America Act (BABA) Requirements to the Hershey Hall Affordable Apartments Project for Fire Alarm and Life Safety System, Electronic Components and Electrical Panelboards (HUD Waiver #W-0000228)

Introduction

The U.S. Department of Housing and Urban Development (HUD) is issuing a final BABA waiver to an assistance recipient based on nonavailability of multiple products for a single project.

Solicitation of Public Comment

The proposed waiver was posted on HUD's public facing webpage and a notice of the proposed waiver was posted to the Made in America website from October 5, 2026 to October 20, 2026, thus satisfying the requirement to publish any BABA project waiver and provide the public with fifteen (15) days to submit comments. HUD did not receive any public comments on this waiver during the public comment period. Therefore, no changes were made to the proposed waiver, except to replace references to the "proposed waiver" with references to the "final waiver."

Background

The Buy America Preference set forth in section 70914 of BABA included in the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. No. 117-58), requires that all iron, steel, manufactured products, and construction materials used for infrastructure projects under Federal financial assistance awards be produced in the United States.

Under section 70914(b), HUD may waive the application of the Buy America Preference (BAP), in any case in which it finds that: applying the domestic content procurement preference would be inconsistent with the public interest; types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or the inclusion of iron, steel, manufactured products, or construction materials produced in the United States would increase the cost of the overall project by more than twenty-five (25) percent. All waivers must have a written explanation for the proposed determination; provide a period of not less than fifteen (15) days for public comment on the waiver; and be submitted to the Office of Management and Budget's (OMB) Made in America Office for review to determine if the waiver is consistent with policy.

Summary

Final Waiver: HUD is issuing a project waiver of the requirements of section 70914 of BABA included in the IIJA, for fire alarm and life safety system electronic components and devices, and electrical panelboards and gear, in an infrastructure project funded through the HOME Investment Partnerships Program (HOME).

Waiver Type: Nonavailability of domestic products in sufficient and reasonably available quantities or of a satisfactory quality.

Waiver Level and Scope: Project-level waiver for multiple products for a single project. No other project will utilize the waiver.

Waiver Description: Project-specific nonavailability waiver of BABA requirements to the Hershey Hall affordable apartments project in Mount Pleasant, Iowa for fire alarm and life safety system electronic components and devices, and electrical panelboards and gear.

Project Summary: The project is in Mount Pleasant, Iowa. Hershey Hall is an adaptive reuse of Hershey Hall on the former Iowa Wesleyan University campus into affordable family housing. The project consists of 22 two- and three-bedroom units (including 3 HOME units), totaling 37,481 square feet.

Length of the Waiver: From October 26, 2026 until the completion of the project, which is anticipated to be June 30, 2027.

Items Covered in Waiver: The Iowa Finance Authority is being issued a waiver for fire alarm and life safety system electronic components and devices, and electrical panelboards and gear, as described in detail below:

Product	**Qty**	**NAICS**	**PSC**	**Technical Specifications**
Fire Alarm Communications Gateway with Enclosure	1	334290	6350	Communications gateway with protective enclosure; connectivity between fire alarm equipment and remote monitoring/communications platforms.
Dual-SIM Cellular Communications Module	1	334290	6350	Cellular communications module with dual-SIM capability; wireless communications for fire alarm/life-safety monitoring.
Cellular Communications Antenna Kit with 50-Inch Cable	1	334290	6350	Wireless/cellular antenna assembly with ~50-inch connecting cable; for communications gateway equipment.
Fire Alarm Gateway Communications Cable	1	334290	6350	~10-inch system communications cable assembly connecting compatible fire alarm gateway equipment.

12V 8/33Ah Rechargeable Battery	8	334290	6350	12V rechargeable sealed lead-acid battery; ~33Ah and 8Ah; standby/emergency power applications.
Intelligent Addressable Combination Smoke/CO Detector	59	334290	6350	Intelligent addressable combination smoke and carbon monoxide detector; smoke/CO detection and alarm signaling.
Intelligent Detector Mounting Base	39	334290	6350	~6-inch flanged mounting base; mounting and electrical connection for compatible intelligent detectors.
Intelligent Addressable Low-Frequency Sounder Base	114	334290	6350	Addressable low-frequency audible notification device/base; emergency audible notification.
Vertical-Mount All-Weather Heat Detector	8	334290	6350	Fixed-temperature heat detector rated ~194°F; vertical-mount, all-weather construction.
Addressable Mini Monitor Module	24	334290	6350	Intelligent addressable input/monitor module; supervises devices/dry-contact inputs and reports status to the control system.
Addressable Fire Alarm Control Module	1	334290	6350	Intelligent addressable control module for supervised control of notification appliances or connected life-safety equipment.
Addressable Relay Module	6	334290	6350	Intelligent addressable relay module; programmable dry-contact relay output for interfacing fire alarm and auxiliary equipment.
Fire Alarm System Relay	2	334290	6350	Electromechanical relay for switching and control functions within fire alarm/life-safety or related electrical equipment.
42-Circuit, 225A, Three-Phase Panelboard	1	335313	6110	208Y/120V, 3-phase, 4-wire; fully rated; aluminum bus; 10 kAIC; main lugs only; top-fed, surface-mounted.

42-Circuit, 225A, Single-Phase Panelboard	2	335313	6110	120/208V, single-phase, 3-wire; fully rated; aluminum bus; 10 kAIC; main lugs only; top-fed, surface-mounted.
Group Electrical Metering Assembly	1	335313	6110	Group metering assembly for multiple electrical service meters; distribution, service, and metering applications.
125A, 24-Space Main-Lug-Only Load Center	22	335313	6110	125A load center; main-lug-only; 24-space; residential/light-commercial circuit distribution and overcurrent protection.

Description of Efforts Made to Avoid the Need for a Waiver

Both the grantee and HUD made every effort to obtain domestically produced fire alarm and life safety system components and electrical distribution equipment.

For the fire alarm and life safety system components, the grantee conducted market research contacting Midwest Energy Solutions (Midwest Alarm Solutions), Potter, Notifier, Honeywell, and Johnson Controls. For the electrical distribution equipment, the grantee contacted Potter, Eaton, and Square D and utilized NIST Manufacturing Extension Partnership (NIST MEP) resources. None of the manufacturers or suppliers were able to provide BABA-compliant products that met the technical specifications of the project.

HUD conducted an independent online search of manufacturers and suppliers. For the fire alarm and life safety system components, HUD reviewed Kidde, Fredland Supply Company, ADI, Potter Electric, and Hochiki. For the electrical distribution equipment, HUD reviewed Schneider Electric (Square D), Siemens, and Eaton. HUD did not locate any manufacturers or suppliers that could provide BABA-compliant products meeting the technical specifications of the project.

Anticipated Impact if No Waiver is Issued

Failure to grant a waiver for this project would result in the inability of the developer to install the required fire alarm and life safety system components and electrical distribution equipment.

Assessment of Cost Advantage of a Foreign-Sourced Product Under OMB M-24-02, agencies are expected to assess "whether a significant portion of any cost advantage of a 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 products" as appropriate before granting a public interest waiver. HUD has concluded that this assessment is not applicable to this waiver as this waiver is not based on the cost of foreign-sourced products.

Description of Award

Agency: United States Department of Housing and Urban Development (HUD)

Common Governmentwide Accounting Classification (CGAC) Code: 086

Title of Project: Hershey Hall Affordable Apartments Project

Recipient Name: Iowa Finance Authority

Unique Entity Identifier (UEI): MNSRLUJXL4W3

Federal Award Identification Number (FAIN): M24SG190100

Financial Assistance Listing Name: HOME Investment Partnerships Program (HOME)

Assistance Listing Number: 14.239

Federal Financial Assistance Funding Amount: $7,070,326.00

Total Estimated Infrastructure Expenditures: $7,070,326.00