

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Solicitation of Public Comment for Project-Specific Build America, Buy America
Nonavailability Waiver Proposal**

SUBJECT: Under Evaluation: Project-Specific Nonavailability Waiver of Build America Buy America Act (BABA) Requirements to the Columbia Renaissance Square III Affordable Housing Development for Door Hardware (Deadbolts, Lever Sets, Closers, Stops, Viewer, and Panic Exit Device) (HUD Waiver #W-0000382)

Introduction

This solicitation of public comment by the U.S. Department of Housing and Urban Development (HUD) is to evaluate a BABA waiver request submitted by an assistance recipient based on nonavailability of multiple products for a single project.

This solicitation of public comment does not represent a final agency decision. The purpose of this proposal is to inquire whether potential alternative domestic products may be available that were not identified by the assistance recipient or through HUD's domestic product research efforts, and whether other factors should be considered in the evaluation of a waiver.

HUD has completed its market research efforts and was unable to identify alternative domestic products meeting the technical specifications of the project, in sufficient and reasonably available quantities and of satisfactory quality. Through this public comment period, commenters may provide information that indicates a waiver may not be needed. For example, if a specified item is found to be domestically available, HUD would not issue a final waiver.

Solicitation of Public Comment

The proposed waiver will be posted on HUD's public facing webpage and a notice of the proposed waiver will also be posted to the Made in America website, to satisfy the requirement to publish any BABA project waiver and provide the public with fifteen (15) days to submit comments. HUD is seeking public and industry comments from all interested parties and encouraging current manufacturers of the subject products to submit comments regarding potential availability. Public comments on this waiver should be submitted to BuildAmericaBuyAmerica@hud.gov. Please reference HUD Waiver #W-0000382 in the subject line.

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.

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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

Proposed Waiver: HUD is soliciting comments regarding whether to issue a project waiver of the requirements of section 70914 of BABA included in the IIJA, for door hardware (deadbolts, lever sets, closers, stops, viewer, and panic exit device) 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 satisfactory quality.

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

Proposed Waiver Description: Project-specific nonavailability waiver of BABA requirements to the Columbia Renaissance Square III affordable housing development in Fort Worth, Texas for door hardware (deadbolts, lever sets, closers, stops, viewer, and panic exit device).

Project Summary: The project is in Fort Worth, Texas. The project consists of the construction of an affordable housing development for families located at 2757 Moresby Street, Fort Worth, Texas 76105.

Length of the Waiver: From the effective date of the final waiver until the completion of the project, which is anticipated to be September 30, 2028.

Items Covered in Waiver: The City of Fort Worth is seeking a waiver for door hardware (deadbolts, lever sets, closers, stops, viewer, and panic exit device), as described in detail below:

Item	Qty	PSC	NAICS	Tech Spec
Single CYL Deadbolt	100	5340	332510	Commercial single-cylinder deadbolt; 1" throw, 6-pin SC "C" keyway solid brass cylinder; square-corner faceplate and reinforced strike; satin nickel.

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Item	Qty	PSC	NAICS	Tech Spec
Keyless Deadbolt	100	5340	332510	Residential keyless deadbolt; 1" throw, no cylinder; round faceplate; non-handed; satin nickel.
Pass Lever @ Entry	100	5340	332510	Residential entry lever set; adjustable deadlatch/plain latch; 5-pin KW keyway solid brass cylinder; non-handed; satin nickel.
Single CYL Deadbolt	72	5340	332510	Commercial single-cylinder deadbolt; 1" throw, 6-pin SC "C" keyway solid brass cylinder; square-corner faceplate and reinforced strike; satin nickel.
Keyless Deadbolt	72	5340	332510	Residential keyless deadbolt; 1" throw, no cylinder; square-corner faceplate and reinforced strike; non-handed; satin nickel.
Pass Lever @ Exits	72	5340	332510	Residential exit lever set; adjustable deadlatch/plain latch; 5-pin KW keyway solid brass cylinder; non-handed; satin nickel.
Single CYL Deadbolt	100	5340	332510	Residential single-cylinder deadbolt; 1/2" bolt throw, 5-pin KW keyway solid brass cylinder; round faceplate; non-handed; satin nickel.
Passage Lever	304	5340	332510	Residential passage lever set; 2-3/8" latch, 1/2" bolt throw; round faceplate; non-handed; satin nickel.
Privacy Lever	335	5340	332510	Residential privacy lever set; 2-3/8" latch, 1/2" bolt throw; round faceplate; non-handed; satin nickel.
Dummy Lever	630	5340	332510	Residential dummy lever (surface, non-operating); round faceplate; non-handed; satin nickel.
Viewer	105	5340	332510	160-degree brass door viewer; fits 1/2" hole, adjustable 1-3/8"-2-1/4"; 20-min UL fire rated; satin nickel.
Hinge Stop	307	5340	332510	Heavy-duty hinge-pin door stop; zinc die-cast; rubber stop and spacer;

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Item	Qty	PSC	NAICS	Tech Spec
				2-7/16" x 1-3/4"; satin nickel.
Flex Stop	945	5340	332510	Heavy-duty spring door stop; metal base, 3-1/8" projection, 15/16" dia.; satin nickel.
Closer	47	5340	332510	Heavy-duty adjustable door closer (sizes 1-6); rack-and-pinion, cast aluminum body; independent sweep/backcheck; barrier-free.
Single CYL Deadbolt	12	5340	332510	Commercial deadbolt; adjustable UL deadbolt, 1" throw; 6-pin SC "C" keyway solid brass cylinder; reinforced strike; non-handed; satin nickel.
Storeroom Lever	8	5340	332510	Commercial tubular storeroom lever lock; adjustable UL deadbolt/plain latch, 1/2" throw; 6-pin SC "C" keyway solid brass cylinder; reversible; satin nickel.
Privacy Lever	5	5340	332510	Residential privacy lever set; 2-3/8" latch, 1/2" bolt throw; round faceplate; non-handed; satin nickel.
Dummy Lever	13	5340	332510	Residential dummy lever (surface, non-operating); round faceplate; non-handed; satin nickel.
Dome Floor Stop	48	5340	332510	High-profile dome floor stop; 1-3/4" dia. x 3/8" base; expansion-shield mount; satin nickel.
Rim Panic Device	2	5340	332510	Rim-type panic exit device; doors 36"-48", 4-1/4" min stile; anodized aluminum, stainless spring; hex-key dogging; 2-3/4" backset; non-handed; painted aluminum.
Storeroom Lever	9	5340	332510	Commercial tubular storeroom lever lock; adjustable UL deadbolt/plain latch, 1/2" throw; 6-pin SC "C" keyway solid brass cylinder; reversible; satin nickel.

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Item	Qty	PSC	NAICS	Tech Spec
Keylock Lever	14	5340	332510	Heavy-duty commercial cylindrical keylock lever; 2-3/4" UL deadlatch/plain latch, 1/2" throw; 6-pin SC "C" keyway solid brass cylinder; ASA strike; reversible; satin nickel.

Description of Efforts Made to Avoid the Need for a Waiver

Both the grantee and HUD made every effort to obtain domestically produced door hardware (deadbolts, lever sets, closers, stops, viewer, and panic exit device).

The grantee completed market research in June 2026 which consisted of outreach to three (3) manufacturers or suppliers of each product category. None of the manufacturers or suppliers were able to provide BABA-compliant products that met the technical specifications of the project.

HUD conducted an online search of manufacturers and suppliers and did not locate any manufacturers or suppliers that could provide BABA-compliant products.

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 products.

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: Columbia Renaissance Square III Affordable Housing Development

Recipient Name: City of Fort Worth

Unique Entity Identifier (UEI): ENS6MKS1ZL18

Federal Award Identification Number (FAIN): M24MC480204

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

Assistance Listing Number: 14.239

Federal Financial Assistance Funding Amount: \$8,023,547.00

Total Estimated Infrastructure Expenditures: \$31,972,002.00

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