

Pre-decisional DRAFT

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 Tendick Street Apartments for Fire Alarm Equipment (HUD Waiver #W-0000321)

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 a 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-0000321 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.

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

Pre-decisional DRAFT

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 IJA, for fire alarm equipment in an infrastructure project funded through the Housing Trust Fund (HTF).

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.

Proposed Waiver Description: Project-specific nonavailability waiver of BABA requirements to the Tendick Street Apartments affordable housing project in Jacksonville, Illinois for fire alarm equipment.

Project Summary: The project is in Jacksonville, Illinois. The project consists of an affordable housing development for families located at 1140 Tendick Street.

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 Illinois Housing Development Authority is seeking a waiver for fire alarm equipment, as described in detail below:

Item	PSC	NAICS	Technical Specification
Fire Alarm Panel 250 Points	6350	238210	Intelligent addressable fire alarm control panel supporting up to 250 addressable points. Provides system monitoring, alarm notification, supervisory functions, event logging, and programmable control of initiating and notification devices. Compatible with Kidde Evolve addressable fire alarm components and designed to comply with applicable NFPA 72 requirements.
Dialer Module	6350	238210	Digital alarm communicator module designed to transmit fire alarm, supervisory, and trouble signals to a central monitoring station. Supports communication over compatible telephone or

Pre-decisional DRAFT

			network interfaces and integrates with the fire alarm control panel for remote notification.
10 Amp NAC Power Supply	6350	238210	Notification Appliance Circuit (NAC) power supply rated at 10 amps to provide regulated power for horns, strobes, and other notification appliances. Includes battery charging capability, circuit supervision, and fault monitoring for fire alarm applications.
Addressable SMOKE/CO Detector	6350	238210	Intelligent addressable combination smoke and carbon monoxide detector utilizing advanced sensing technology for early detection of smoke and CO hazards. Communicates directly with the fire alarm control panel for alarm, supervisory, and maintenance monitoring.
Addressable SMOKE Detector	6350	238210	Addressable photoelectric smoke detector designed to detect visible combustion particles while minimizing nuisance alarms. Features continuous self-diagnostics, addressable communication, and compatibility with Kidde addressable fire alarm systems.
Addressable CO Detector	6350	238210	Intelligent addressable carbon monoxide detector designed to monitor CO concentrations and provide early warning of hazardous gas conditions. Integrates with the fire alarm system for centralized monitoring and alarm reporting.
Addressable Detector Base	6350	238210	Addressable mounting base designed to support compatible Kidde smoke, CO, or combination detectors. Provides secure electrical connections, addressable communication, and simplified detector installation and replacement.
Addressable Sounder Base	6350	238210	Addressable detector base with integrated audible sounder for local occupant notification. Compatible with Kidde addressable detectors and capable of synchronized alarm signaling through the fire alarm control panel.
Polarity Relay Module	6350	238210	Addressable relay module used to reverse notification appliance circuit polarity or provide controlled switching functions within the fire alarm system. Supports supervised operation and programmable activation.
Addressable Dual Action Pull Station	6350	238210	Addressable manual fire alarm pull station requiring two distinct actions to initiate an alarm, reducing accidental activations. Provides supervised communication with the fire alarm control panel and reset capability using a key.
Temporal Pattern Generator	6350	238210	Notification control module that generates NFPA-compliant temporal audible signaling patterns for horns and other notification appliances. Integrates with compatible fire alarm systems to provide synchronized alarm operation.

Pre-decisional DRAFT

Dual Input Module	6350	238210	Addressable dual input module providing monitoring for two independent dry-contact initiating devices. Supervises connected circuits and communicates alarm, supervisory, and trouble conditions to the fire alarm control panel.
Sync Module	6350	238210	Synchronization module designed to coordinate the operation of compatible horns and strobes to ensure synchronized audible and visual notification throughout the protected facility.
Riser Module	6350	238210	Addressable riser module used to extend and distribute signaling line circuits (SLC) or notification appliance circuits within larger fire alarm installations. Provides circuit isolation and supervision where required.
Horn Strobe	6350	238210	Combination audible and visual notification appliance providing synchronized horn output and high-intensity strobe signaling during fire alarm events. Suitable for wall-mounted indoor applications and compliant with applicable UL and NFPA requirements.
Outdoor Horn Strobe	6350	238210	Weather-resistant combination horn and strobe notification appliance designed for outdoor or harsh environments. Features high-visibility strobe output, synchronized audible signaling, and environmental protection suitable for exterior installations.
Ceiling Mount Strobe	6350	238210	Ceiling-mounted visual notification appliance providing high-intensity flashing light for occupant notification during emergency events. Compatible with synchronized fire alarm notification circuits and designed for indoor use.
Cellular Communicator	6350	238210	Cellular communication module providing secure wireless transmission of fire alarm signals to a central monitoring station. Serves as a primary or backup communication path and supports automatic supervision of communication status.
FT Heat Detector	6350	238210	Fixed-temperature heat detector designed to initiate an alarm when ambient temperature exceeds the specified threshold. Intended for use in environments where smoke detection may not be appropriate and compatible with listed fire alarm control systems.
Addressable Single Input Module	6350	238210	Intelligent addressable input module used to monitor a single dry-contact initiating device, such as a sprinkler flow switch or tamper switch. Provides continuous circuit supervision and communicates alarm and trouble conditions to the fire alarm control panel.

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 equipment.

The grantee completed market research in May–June 2026 which consisted of outreach to three (3) manufacturers or suppliers of fire alarm equipment. 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 eight (8) 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 fire alarm 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: Tendick Street Apartments

Recipient Name: Illinois Housing Development Authority

Unique Entity Identifier (UEI): GA8GWCRXUDL3

Federal Award Identification Number (FAIN): F24SG170100

Financial Assistance Listing Name: Housing Trust Fund (HTF)

Assistance Listing Number: 14.275

Federal Financial Assistance Funding Amount: \$3,161,018.00

Total Estimated Infrastructure Expenditures: \$8,645,963.00