



# Buy American Act

The Buy American Act (BAA) was created in 1933 to bolster the American economy and improve the security of government projects and purchases. The BAA applies to direct government purchases and purchases funded by government agencies by creating a purchasing preference for domestic products over foreign products.

Border States values and complies with the BAA regulations, and we can better support our customers because of it. We collaborate with our customers to minimize risk, support compliance and maintain responsiveness to state, federal and international regulations.

## Our process:

1. **Part selection** – Customer requests are passed to their Border States representative and the Compliance department. The Federal Code must be referenced by the customer in their request. An Analyst then adds all approved alternatives to the request.
  - a. Provisions and clauses:
    - i. **52.225-1** Buy American-Supplies
    - ii. **52.225-3** Buy American-Free Trade Agreements-Israeli Trade Act (ALT I, ALT II, ALT III)
    - iii. **52.225-5** Trade Agreements
    - iv. **52.225-9** Buy American-Construction Materials
    - v. **52.225-11** Buy American-Construction Materials Under Trade Agreements
    - vi. **52.225-21** Required Use of American Iron, Steel, and Manufactured Goods-Buy American Statute-Construction Materials
    - vii. **52.225-23** Required Use of American Iron, Steel, and Manufactured Goods-Buy American Statute-Construction Materials Under Trade Agreements
    - viii. **10 U.S.C. §4862** Berry Amendment

2. **Part certification** – Certifications are gathered by the Analyst for the requested parts and all approved alternates. The information is passed through the representative back to the customer.
3. **Purchase** – The customer representative places all orders while requesting BAA-compliant parts from Purchasing. Orders are placed with the appropriate clause and provision.
4. **Maintenance** – Documents with the shipment are scanned to the PO documents in SAP. The approved parts are added to the master list of approved parts for future reference.

Border States has a General Services Administration (GSA) contract, and our website contains multiple manufacturers that sell BAA-compliant products — which are pre-certified as domestic in origin. Being part of this contract also requires Border States to adhere to additional federal regulations, including supplier diversity, mandatory sourcing, product labeling and shipment marking and export regulations. By adhering to our GSA contract, the government can work with these manufacturers to do business with Border States.

To learn more about our GSA contract, visit [gsaadvantage.gov](https://gsaadvantage.gov) and search for our contract number (**GS-06F-0033S**) in the **eLibrary**. You can also email our GSA Customer Service department at [gsaservice@borderstates.com](mailto:gsaservice@borderstates.com) or call 1.800.676.5834.

### Key takeaways

It's important to us that we support you while complying with BAA regulations and improving our services. As you navigate BAA regulations, know that you can rely on Border States to help you minimize risk, support compliance and maintain responsiveness to state, federal and international regulations.

### Questions?

If you have questions regarding Border States' compliance with BAA regulations, feel free to contact Nick Gariano, Senior Regulatory Affairs Analyst, at [ngariano@borderstates.com](mailto:ngariano@borderstates.com). For all other inquiries, please contact your Border States Account Manager.



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