



STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor  
Kathy Blumenfeld, Secretary  
David Pawlisch, Division Administrator

MEMORANDUM

**TO:** Rental Housing Development (RHD) Awardees  
**FROM:** Tara Barica, Section Chief  
**DATE:** May 2025  
**SUBJECT:** RHD Program Updates

This memo is to inform you of two programmatic updates to the Rental Housing Development Program.

1. The Department of Housing and Urban Development (HUD) provided guidance on the [new HOME final rule](#) which included **Build America, Buy America (BABA)**. The RHD program will implement the **BABA** requirements as detailed on HUD's website [here](#), effective May 2025.
  - a. To assist in understanding and complying with these requirements, the RHD application and [website](#) has been updated with comprehensive information on the BABA provisions. We encourage you to visit the RHD website and review the latest updates to ensure that your project proposals and operations fully align with the updated guidelines.
  - b. We also encourage you to consult with DEHCR should you have any questions prior to submission.
2. Effective May 2025, project site sign specifications have been updated. DEHCR signage must be posted on all construction sites acknowledging the use of RHD – HOME funds in the project. Updated project site sign specifications can be found in the [RHD HOME Program Guide](#) on the [website](#).

If you have any questions or require further clarification regarding these requirements or the program updates, please feel free to contact us at [DOADOHAffordableHousingHelp@wisconsin.gov](mailto:DOADOHAffordableHousingHelp@wisconsin.gov)

Thank you for your cooperation and continued dedication to developing and maintaining safe and affordable housing in Wisconsin.

Sincerely,

**Tara Barica, MSW** | Section Chief  
Bureau of Housing  
Division of Energy, Housing, and Community Resources  
Department of Administration

## Build America, Buy America Act (BABA) and the Buy America Preference (BAP)

*HUD Notice CPD-2025-01 and CPD-2023-12 and 88 FR 17001*

### Highlights of BABA

Federal procurement requirements will apply to infrastructure projects undertaken with HOME RHD funds that involve construction, alteration, maintenance, or repair of public infrastructure, and affordable housing development projects with five or more units. The terms and conditions of BABA apply to subrecipients at all tiers. The prime contractor and all subcontractors (all tiers) must comply with the requirements of the BABA Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, as applicable to the HOME Investment Partnerships Program (HOME) Rental Housing Development (RHD) Program infrastructure project.

Category:	WI HOME RHD Projects Subject to BABA:
Iron and steel products	8/23/2024
Construction materials specifically listed in <a href="#">88 FR 17001</a>	8/23/2024
Construction materials not specifically listed in <a href="#">88 FR 17001</a>	8/23/2024
Manufactured products	8/23/2024

### DEFINITIONS

Key terms that have relevance to the interpretation and implementation of the BAP for HOME are defined in the BABA statute and may be found in HUD Notice [CPD-2023-12](#), [2 CFR 184](#), and [OMB M-24-02](#), [CPD-2025-01](#) guidance.

### BABA PROJECT-SPECIFIC WAIVER REQUEST PROCESS

Waivers are explained in HUD Notice [CPD-2023-12](#), [OMB M-24-02](#) and [CPD-2025-01](#) and are required by the Infrastructure, Investments and Jobs Act (IIJA) sections 70901 through 70952 for exceptions not otherwise exempt to the BAP.

A contractor seeking a project-specific waiver must demonstrate the criteria for one or more of the project-specific waiver categories are met. Contractors are to consult with and submit waiver requests to DEHCR via the Grantee/Owner. The HOME BABA Project-Specific Waiver Request Form must be completed and submitted with the required supporting documentation, following the instructions on the form, for project-specific waiver consideration.

The contractor must submit the waiver request documentation to the HOME Grantee/Owner, and the HOME Grantee/Owner must verify that it is complete and submit it to DEHCR. DEHCR will review the documentation and if it is confirmed to be complete and in compliance, will submit the required waiver request information and additional documentation to the appropriate HUD representative for further review and processing. A waiver must be approved by DEHCR, HUD, and the [Made in America Office](#) (MIAO) prior to an entity proceeding with using any construction items subject to the BAP for the HOME project that are not produced in the U.S. *[Note: The waiver request review process includes a public notice requirement and the issuance of a decision by HUD and the MIAO may require six (6) weeks or more.]*

*\*\*Note: A comprehensive list of forms, including form names and weblinks, is available on the RHD website. Please refer to that page for the most current resources and instructions.*