



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
ACQUISITION, LOGISTICS AND TECHNOLOGY
103 ARMY PENTAGON
WASHINGTON, DC 20310-0103

SAAL-ZP

Agency: The Department of Defense (DoD), Department of the Army (DA), National Guard Bureau (NGB)

Action: Request for Waiver; Partial nonavailability project-specific waiver under the Build America, Buy America Act (BABA) for the Vermont (VT) Army National Guard (ARNG) Lyndon Readiness Center Fire Alarm System

Waiver Number: SAAL ZP-2026-001

Waiver Summary: The DA NGB is proposing to issue a partial nonavailability waiver of the manufactured products pursuant to the Buy America Preference set forth in section 70914 of the BABA Act included in the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. No. 117-58), under the authority of section 70914(b), for non-domestic fire alarm system components for the construction project of the National Guard Readiness Center in Lyndon, VT.

Waiver Type: Non-availability partial waiver of the BABA manufactured product requirements for fire alarm system components.

Waiver Level and Scope: Project-level waiver for a single product. No other project or award will utilize the waiver.

Waiver Justification Summary: The fire alarm system designed for this project meets the safety, operational, and design specifications of the project, as confirmed by the project's design consultant. No fire alarm system was found during extensive market research to meet these requirements while also being BABA-compliant. This is a project-specific waiver. No other project or award may utilize this waiver

Length of the Waiver: The proposed waiver will be in effect from the effective date of the final waiver through March 31, 2027, the anticipated completion of the project.

1. Background

a. The Buy America preference in section 70914 of the BABA Act included in the IIJA, requires all iron, steel, manufactured products, and construction materials used for infrastructure projects under federal financial assistance awards be produced in the United States.

b. Under section 70914(b), 2 CFR 184.7, and in accordance with the Office of Management and Budget's (OMB) Oct 25, 2023, implementation guidance memorandum on the subject (M-24- 02), an agency may waive the application of the Buy America preference, in any case in which it finds that: types of iron, steel, manufactured products, or construction materials are not produced in the United States (U.S.) in sufficient and reasonably available quantities or of a satisfactory quality. All waivers must have a written explanation for the proposed determination; provide a period of not less than 15

calendar days for public comment on the proposed waiver; and submit the proposed waiver to OMB, Made in America Office (MAIO) for review to determine if the waiver is consistent with policy.

2. Project Summary:

a. The Lyndon VT ARNG Readiness Center Military Construction (MILCON) project scope consists of the construction of a new 38,000 square foot armory building in Lyndon, VT as part of a MILCON project, along with associated site work and outbuildings. This project began construction in September 2025 and meets the VT ARNG’s training, administrative and logistical requirements, replacing an existing facility that is over 50 years old, less than half the size, and generally unsuited to modern requirements. The project’s anticipated completion date is March 2027.

b. Among the systems required for this project is a fire alarm and fire suppression control system, which includes a variety of electronic components such as a control unit and integrated heat, smoke and carbon monoxide detectors that do not collectively contain 55% U.S. parts by value. The system designed is required for the safe operation of the facility and for receipt of a certificate of occupancy. There is no alternative system type.

c. The system safety and operational specifications outlined in the design plans are standard for a building of this type and use. Market research did not find any BABA compliant fire alarm system that fully met all necessary requirements for fire safety and operational compliance as outlined in the project design.

3. Manufactured Products: Listed are the categories of manufactured products included in the fire alarm system for which the BABA manufactured product domestic content requirements apply and are proposed to be waived with a total value of \$191,636.36.

Quantity	Description	Country Of Origin	PSC Code
1	FleX-net with Integrated Digital Audio (FX-MNS-6000) or equivalent.	Assembly of U.S. and Foreign Components in the United States	6350
1	FleX-Net FX-2017-12NDS network panel or equivalent.	Assembly of U.S. and Foreign Components in the United States	6350
1	FX-3500 fire / agent release panel or equivalent.	Assembly of U.S. and Foreign Components in the United States	6350

Asstd.	Assorted compatible fire alarm system small components, sensors, appliances, displays and alarms.	Assembly of U.S. and Foreign Components in the United States	6350
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4. Anticipated Impact if No Waiver is Issued

a. The fire alarm system is integral to the building's fire safety compliance. If a waiver is not granted, the project will be unable to install a fully functional fire alarm system, which would prevent the building from meeting essential safety codes and regulations. Granting this waiver is crucial to ensuring the project's completion and maintaining the facility's operational and fire code compliance.

b. The existing Army De Minimis Waiver has been expended other with noncompliant BABA material and was insufficient to resolve all the product non-compliance issues. A manufactured product non-availability waiver is necessary due to the inability to source BABA-compliant fire alarm system components.

5. Description of Efforts Made to Avoid the Need for a Waiver

a. The design team and general contractor have reached out to seven different manufacturers and brands to find compliant options for the desired system. No compliant and technically equivalent options were available. No BABA-compliant fire alarm systems are known to exist by any manufacturer.

b. The VT ARNG made every reasonable effort to explore the availability of BABA-compliant products for the fire alarm system; however, no domestic manufacturers can provide a fully BABA compliant system.

c. The existing Army de minimis waiver has been expended with other noncompliant BABA material and was insufficient to resolve all the product non-compliance issues. A product specific Non-Availability Waiver is necessary due to the nature of the system restricting potential sourcing to only a few manufacturers, and the broader challenge of sourcing BABA-compliant fire alarm components. No manufacturers provided fire alarm systems that comply with BABA and meet the design specifications for this project.

6. Due to the lack of any compliant alternatives, no cost comparison can be made, as no fully BABA-compliant fire alarm systems are known to exist. Under OMB M-24-02, agencies are required 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 non-availability waiver. The VT ARNG has determined that this assessment is not applicable to this waiver, as the basis for the waiver is not related to the cost of foreign-sourced products. Instead, the waiver is being requested due to the non-availability of a fully compliant BABA fire alarm system, as outlined in the project specifications.

7. Description of Award

a. Recipient Name and/or Unique Entity Identifier: State of Vermont Military Department – YMMASZVHBJL7.

b. Federal Financial Assistance Identification Number (FAIN): W912LN-21-2-2101.

c. Federal Financial Assistance Listing Name: Military Construction National Guard.

d. Federal Financial Assistance Listing Number: 12.400.

e. Awarding Agency Common Governmentwide Accounting Classification (CGAC) Code: 012.

f. Federal Financial Assistance Funding Amount:

(1) Estimated cost of the project with manufactured products: \$22,619,000.00.

(2) Estimated cost of the specific amount expected to be waived: \$191,636.36.

8. Solicitation for Comments: This notice was posted on February 2, 2026, to satisfy the requirement to publish proposed Buy America waivers and provide the public with a reasonable amount of time for notice and comment. The DA sought public and industry comment from all interested parties. The notice closed for comments February 17, 2026. No comments were received. No changes have been made to the waiver at this time. For more information on the BABA preference, please reference [MadeinAmerica.gov](https://www.madeinamerica.gov).

The Department of the Army website link is: <https://www.army.mil/asaalt#org-resources>.

Effective Date of the Waiver:

The waiver is effective from date of signature through 21 March 2027.

Kimberly D. Buehler
Acting Deputy Assistant Secretary
of the Army (Procurement)