

# BABA and PrC: Working together to document products

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Welcome and Introductions

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# Outline

## BABA status & definitions

- BABA rules, by letting date (graphic of rules & implementation schedule)
- MAC vs PrC for documentation
- MAC for items with a QC plan (Approved Producers)
- PrC for all APL items (everything else)



## Adding pay items and APL numbers in PrC

- The big picture change for Construction
- Who enters what data, when and how (with Demo!)
- Reports & Preparation for the Monthly Estimate



## Questions

For today's presentation, we'll address:

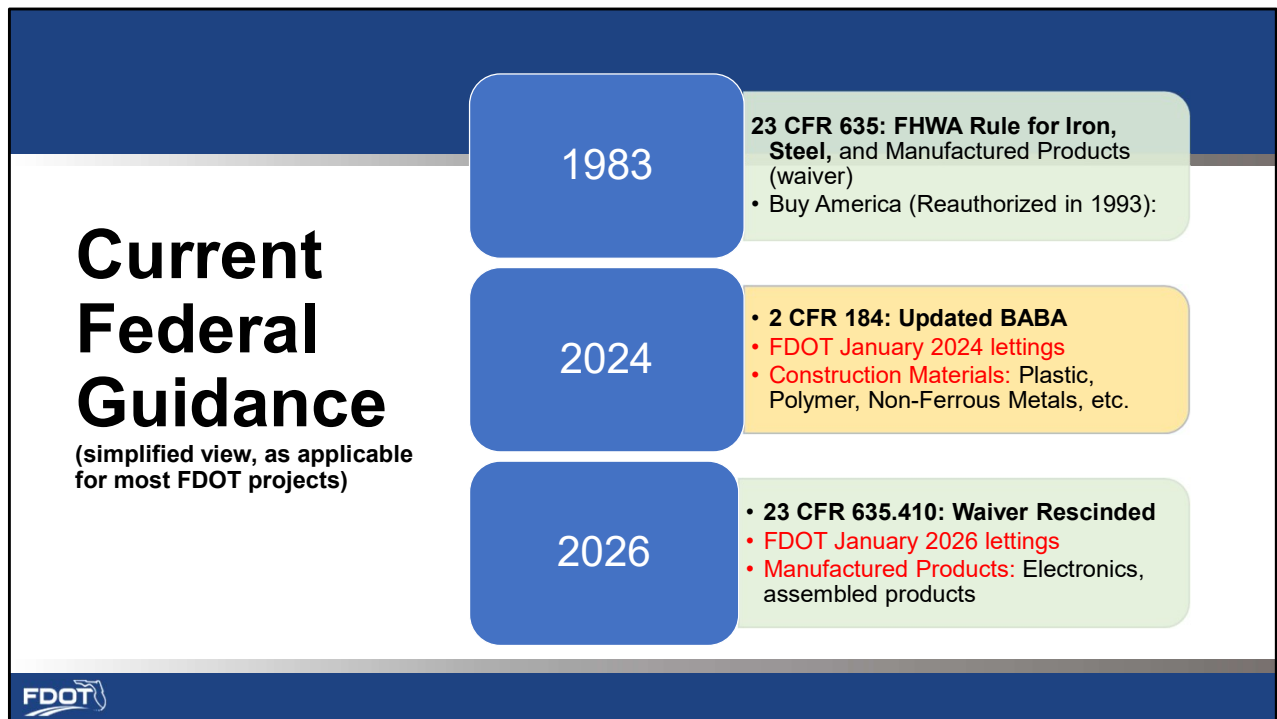
- current and proposed Federal Guidance
- FDOT's plan to implement these requirements

**IMPORTANT: BABA is not retroactive. Watch the applicable letting dates.**

If your project was let under "old rules", it will remain under the old rules/waivers in effect at the time the funds were authorized.

Many of the "new rules" were effective with the January 2024 lettings- especially Construction Materials.

More discussion about this through the presentation.



**Since the 1980s:** Domestic Iron and Steel requirements were in effect. Manufactured Products had a waiver.

**January 2025: Federal Rules were updated.**

FHWA has rescinded the Manufactured Products Waiver, **effective for projects** obligated October 1, 2025 (**FDOT lettings starting January 2026**).

Additional details and BABA requirements will be reflected on the APL, especially for products classified as Manufactured Products.

Projects follow the Federal Rules in effect at the time of the authorization of Federal Funds:

**Before January 2024:** Old Rules. Waivers applicable for most products. Iron & Steel requirements remain in effect.

**January 2024 through December 2025:** Construction Materials must meet Domestic Requirements. Iron & Steel requirements remain in effect.

**January 2026 through December 2026:** Manufactured Product must meet “Final Assembly Requirements”; see the APL for comments or limitations.

Construction Materials must meet Domestic Requirements. Iron & Steel requirements remain in effect.

**January 2027 and later:** Manufactured Product must meet “Final Assembly Requirements” AND “55% cost rules”; see the APL for comments or limitations.

Construction Materials must meet Domestic Requirements. Iron & Steel requirements remain in effect.

# Obligation Date vs Letting Date

(Federal Rules)

(FDOT Project tracking)



While the Federal Government works on an “Obligation Date” for the funding, FDOT Projects are based on a “Letting date” for applicable Specifications, Standards, Pay Items, and APL Items. See the FDOT Contracts Administration schedule for exact dates and deadlines.

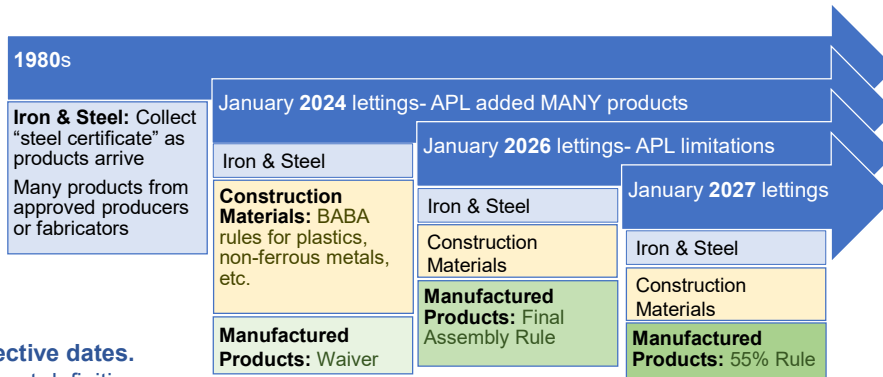
Questions have been asked about Obligation Date vs Letting date...

FDOT has not been granted a waiver or delayed implementation.

The difference in terminology represents the time delay between obligation and letting.

While Federal agencies recognize the obligation date, FDOT project personnel recognize the letting date.

# Letting Date is important!



**Notice the effective dates.**  
More details about definitions and categories in a moment.

Again, BABA is not retroactive!

As you can see, the Iron & Steel requirements continue throughout.

Construction Material requirements introduced with January 2024 will continue. Many Products added to the APL to document BABA category

Manufactured Products were under a waiver, until the recent changes for January 2026 and 2027.

Product materials and/or models may be updated to comply with new domestic requirements.

FDOT Specifications for material requirements still apply!

When asking BABA questions, always have either the project number or letting date available, so that applicable rules are considered.



# Categorizing: Federal Guidance

## Iron and Steel

### Construction Material

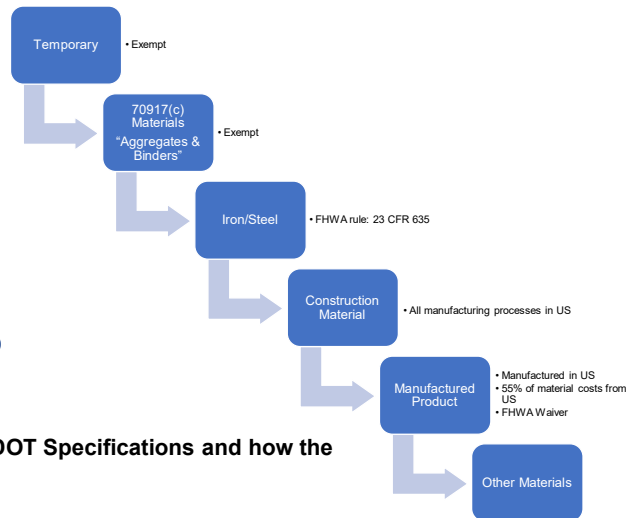
Non-Ferrous metals  
 Plastics/Polymers, composites  
 Glass  
 Fiber Optic Cable, optical fiber  
 Lumber  
 Engineered Wood, Drywall  
**ALL US manufactured**

### Manufactured Product

Electronics  
 FHWA Waiver (ends 2025)  
 Final Assembly (2026), 55%+ mined, produced, or manufactured in US (2027)

### Predominate material, by cost of components

**For most items, BABA classification is based on FDOT Specifications and how the product or material arrives at the construction site.**



There is a process for determining the BABA classification.

Do not “jump” to Manufactured Product for any product with multiple materials.

BABA rules consider the % cost of component materials when determining the BABA classification.

As noted above, products cannot be classified as Manufactured Products (current waiver), if they meet the Construction Material definitions!

Manufacturers who disagree with the product’s classification on the APL may contact Product Evaluation to discuss.

For most products, % of components, BY COST, are used to determine the product’s classification.

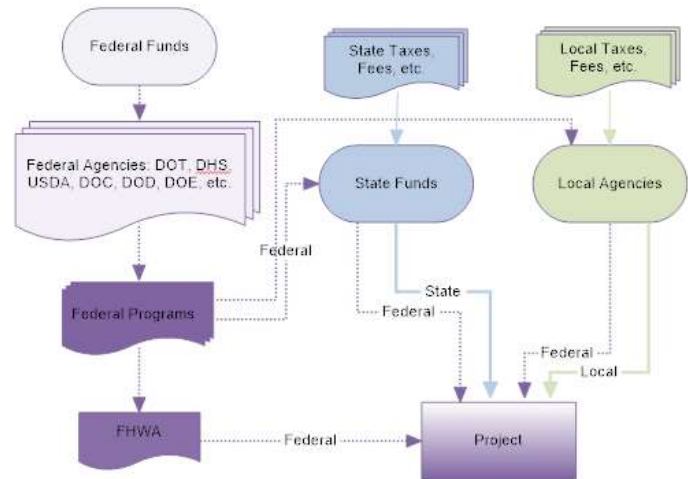
# Federal Funds...

...more than Federal Highway Funds through FHWA!

**DHS:** Transportation related Cybersecurity  
**FEMA:** Federal Emergency Management Agency  
**USDA:** Landscape, Forest Restoration  
**USDOT:** Safety, Safe Paths to School, Rail Programs, Mass Transit  
**HUD:** Housing & Urban Development- Local Programs  
**Homeland Security:** Local Programs  
**EPA:** Environmental Protection Agency (ponds, drainage, wetlands)

**BABA rules are applicable to ALL Construction PROJECTS.**

*Any exceptions must modify Section 6 of the specifications, AFTER review by Product Evaluation and approval by the State Construction Engineer.*



**Important: FHWA Federal Aid  $\neq$  Federal Funds.**

**Federal Aid is generally the FHWA funding.** Many designers recognize this as project with a Federal Aid Project Number in addition to the FPID number.

**Federal Funds (FHWA, DHS, HUD, or other) may come through the State or Local Funds.** The fund codes/sources are identified within the normal FPID number 123456-1-52-01.

Important:

Federal Aid is NOT EQUAL to Federal Funds.

Federal Aid is generally the FHWA funding. Many designers recognize this as project with a Federal Aid Project Number in addition to the FPID number.

Federal Funds may come through the State or Local Funds. The fund codes/sources are identified within the normal FPID number 123456-1-52-01.

Project specific exceptions may be discussed on a case-by-case basis. These exceptions are rare and require a specification change.

FDOT  
Specifications,  
Section 6

BABA rules apply to  
**ALL Construction Projects**

With or without known Federal Funds

Exceptions may be requested during Design for:

State Funds ONLY for All projects, all phases for contract

- Reviewed by Product Evaluation & Work Program
- Must be approved by State Construction Engineer
- MSP used to remove Section 6 specification requirement.

*Federal Funds in Design or R/W may Federalize a project (including others on the contract), even if no Federal Construction funds are present!*

All Construction Projects...

Compliance is normally not a concern. Products and/or waivers are available for projects using Standard Specifications.

Designers are asked work with Product Evaluation if they anticipate needing a product that is only available from a foreign source.

# Rules for a reason...

- You are special!
- You do a great job!
- You are loved by family, friends, and co-workers!



- Waivers are NOT automatic

- Your project must follow Federal Rules!

- In most cases, the rules are easier than the exception or waiver efforts!



Bad News... Good News

Before we begin with the rules, WARNING... **your project will likely need to comply.**

As we've advised Designers, Vendors, and others, "Listen to the rules before you try to find an easy button or exception."

We had 3 exceptions in 2024; possibly 5 exceptions (including movable bridges) for 2025. All other projects, with or without FHWA funds, still had some BABA rules in effect.

The good news is that we have a solution for most situations.

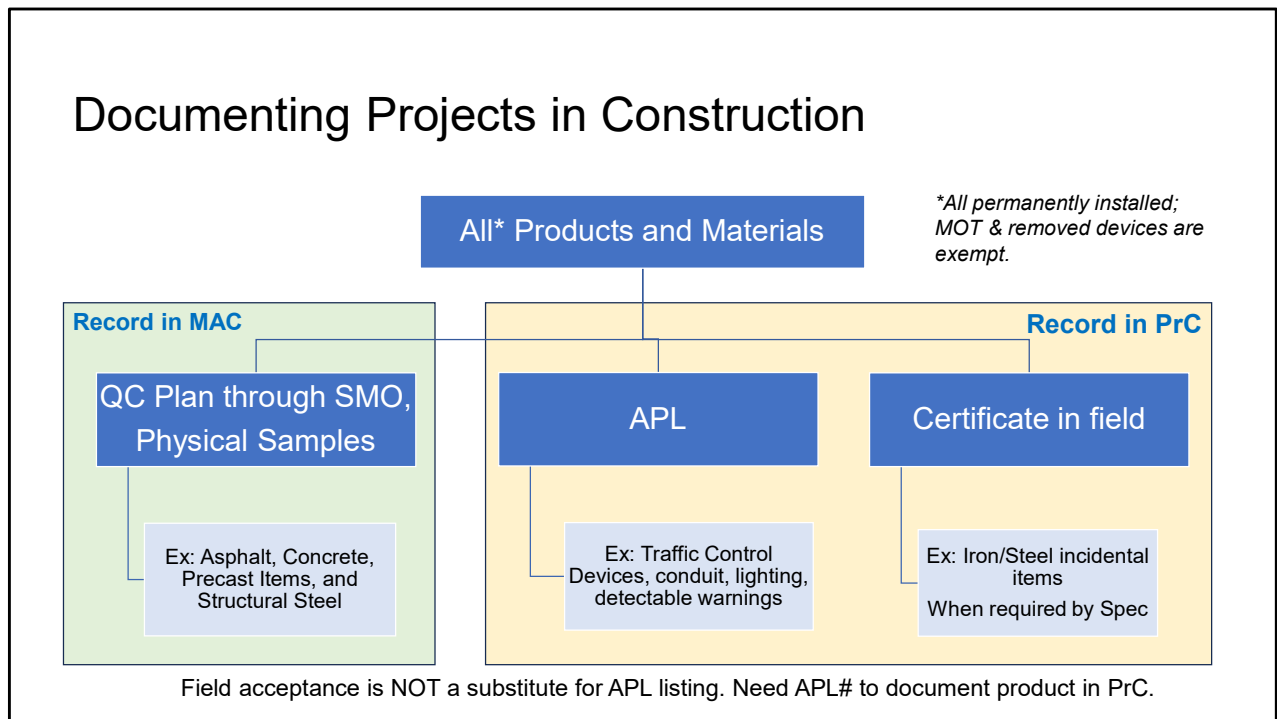
**End of BABA Training- on to the APL side...**

**On the previous slides, we've only hit the highlights of BABA training.**

**Several recorded BABA training sessions available from last year.**

**We plan to continue to offer BABA training throughout 2026. More information later in the presentation.**

# Documenting Projects in Construction



The big items: **Asphalt, Concrete, Precast, and Structural Steel- NO CHANGE to what you have been doing for many years.**

Document the producers, items, samples in MAC.

Everything else (or at least the permanently installed items) need to be documented in PrC. Olivia will show you how in a few moments.

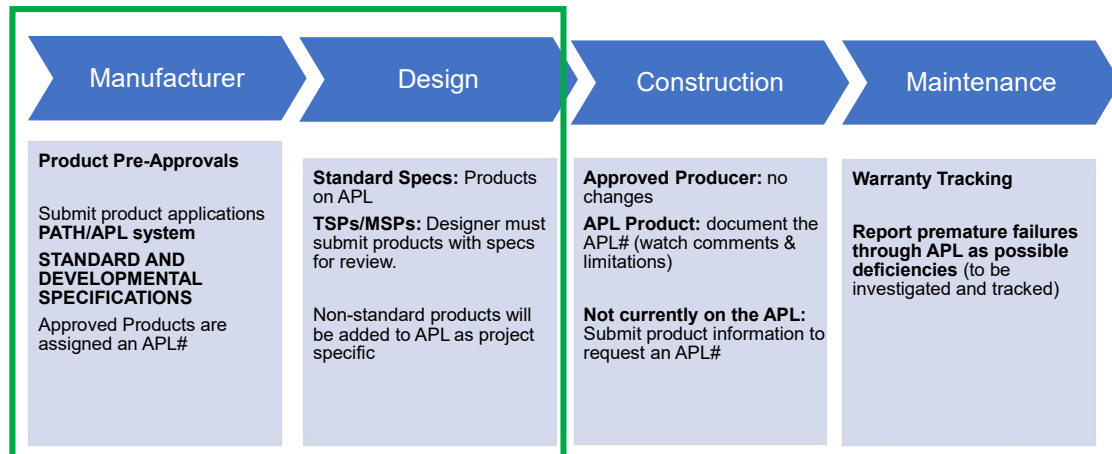
Some of you may be thinking, “Not everything is required to be on the APL...”

This changed with BABA: With the need to document BABA compliance, the APL was identified as the tool to ensure consistent compliance with the Federal rules.

As a result, the APL has doubled the number of product types and products over the past 2 years.

**Yes, we anticipate that many more will be added as we identify products being used in the field.**

# The Big Picture for FDOT BABA Compliance: APL Listing



This is a team effort. Everyone must do their part to make compliance easy!

4 steps for FDOT's BABA compliance; we'll address each step in a few moments.

Hopefully, we will address BABA compliance before the project ever makes it to Construction...

Today's reality: Rules have been changing over the past 2 years.

Projects under construction will have questions.

Projects in design should be ensuring that products are available prior to letting.

Manufacturers have been great. Most of them appreciate having their products on Florida's APL.

Designers are learning: we're still trying to capture the non-standard products needed for past TSPs & MSPs. Some of these non-standard products that have been used repeatedly will need to move towards Developmental or Standard Specs.

So, what do you need to do once the project reaches Construction?

**Acceptance on APL**

**1. Does the product meet the applicable FDOT Specification?**  
 No- reject  
 Yes- proceed...

**2. Does it meet Federal Rules, including BABA?**  
 Read the product's comments and limitations!  
**Yes:** Record the APL number  
**No or Not listed: Contact Product Evaluation**  
 The manufacturer may be invited to submit an APL application.  
 For non-domestic products, do not reject; a waiver may be available.

**APL listing does not limit Spec enforcement.**  
 Products must still be installed according to Manufacturer's Instructions and any spec requirements.

**When Product Evaluation is aware of a request**, regardless of whether it comes from the manufacturer, designer, contractor, or engineer...

Product Evaluation will considering these two questions:

1. Does it meet the FDOT Spec?
2. Does it meet Federal Rules, including BABA? There are other Federal rules including convict labor and communications.

We will work with the Technical Experts for each Specification Section to verify compliance with FDOT Specifications.

Manufacturers must respond to questions within the PATH/APL System to confirm compliance with Federal rules.

**So, if you are faced with accepting a product in the field**, the same questions need to be addressed.

If it meets the spec, we'll ask you to send the information on to Product Evaluation.

This will enable us to provide an APL number to document in PrC.

## Can I accept a product in the field that is NOT on the APL?

Simple answer: No.

1. Need an APL # to record product in PrC.
2. Product Evaluation will need to verify Federal Rules, including BABA compliance.

### Great Marketing logos...

Not legally enforced.

Product Evaluation will work with the Manufacturers to determine if the applicable Federal Rules have been met.

Compliance will be shown on the APL

**Do not accept BABA statements in the field.**



### We need to work together...

Do not accept a product in the field without an APL number.

While the marketing and technical data sheets will often help with evaluating the product, we need to reach out to the manufacturer to invite them to submit a product application to answer the questions regarding the Federal rules.

Depending on the product type, "made in the US" may not be enough.

**Reminder:** The rules vary depending on the letting date.

# FDOT's APL

Remember: The APL is used by Designers, Inspectors, Contractors, Manufacturers, Local Agencies, and others!  
**The database is updated DAILY.**

**Vendor:** If it shows FDOT, rather than the actual Vendor, it may be project specific or have other limitations.

**APL Number:** As with the pay items, the first 3 digits corresponds with the Spec Section.

**BABA Eligible:** Is it currently eligible?

**Waivers:** FDOT is in the process of requesting waivers. These will be shown on the APL for affected products.

**Comments and Limitations:** Use caution; APL approval may be limited to specific projects, letting dates, or other product specific conditions.

## Sample Product ABC Series (APL Product)

Vendor: **FDOT Product**

- Model Number: Sample model
- **APL Number:** 682-002-987
- **Specification:** Video Equipment
- **Product Type:** Camera – PTZ
- **BABA Eligible:** Eligible
- **Limitation:** BABA Waiver requested for job lettings on or after January 1, 2026.
- **Comment:** Tested with F/W version 4.00.426; Sunguide Version 9.0.0, Build 14720; POE Injector Model # 7412007-003; Compatible with Sunguide using NTCIP
- **Fabrication:** Electrical/Electronic, Manufactured Product



**Products must be valid at time of use.**

While many of you are very familiar with the APL, please know that we are adding product types (groups identified in the specifications), as well as products (specific brand and models) on a daily basis.

Some hints about the Product listing are shown above:

Products with an FDOT office as the vendor were likely created for project specific needs, where waivers were available or unnecessary.

If we are in the process of requesting a program wide waiver (for all projects), it will be shown with the limitations.

If there are other comments or limitations, read them carefully; other conditions may be identified.

Manufacturers have been asked to update their photos, instructions, and other product documents.

If you have a need for specific information to confirm a product, please let us know. The long-term goal is to minimize the paperwork collected in the field.

# Non-Availability Waiver

FDOT Standard Specs (FHWA approved)

No domestic products available

Limited domestic products (supply not able to meet demand)

Verify current Manufacturers' Domestic Status & product availability

Research other potential manufacturers nationally (NIST & Florida Makes)

Waiver process may take 6+ months; options pending

See the APL for any available or pending waivers. **Comments and Limitations still apply.**

## Quick review of two common waiver types:

One common Federal Waiver is the Non-Availability waiver.

It is requested based on the FHWA approved Standard or Developmental Specifications when no domestic products are available.

**It is program wide (all projects using the Standard or Developmental Specification).**

We are required to conduct a 30-day national search to try to identify manufacturers.

## Public Interest Waiver-

normally project specific

Non-Standard Specification (TSP or MSP)

Non-Domestic product requested

Why is it in the Public Interest to use a non-domestic product?

Why is it in the Public Interest NOT to use a domestic product?

Waiver reviewed by FDOT Directors, FHWA-FL Division, FHWA-DC, and OMB

Process may take up to 24 months

### **The second waiver type (project specific):**

A Public Interest Waiver may be requested for non-standard specifications, but this is not intended to be an easy process.

The Federal rules are intended to provide a domestic preference.

These waivers are asking to “set-aside” the Federal rules based on addressing why enforcement is NOT in the public’s interest.

Contact Product Evaluation for details. OMB form 2211 is used.

It must be submitted by FDOT after reviews; the Chief Engineer normally signs the submittal.

## Comparing Waivers

	Non-Availability Waiver	Public Interest Waiver
Specification Type	<b>Standard:</b> Standard Spec or Developmental Spec (FHWA approved)	<b>Project Specific:</b> Technical Special Provision or Modified Special Provision
Designer	No Action; drafted by Product Evaluation	Designer submits support documentation & waiver draft
Delays	<b>None anticipated;</b> FHWA approved specification	<b>Up to 24 months;</b> not guaranteed. Project may be delayed.

Product Evaluation will work with the CO Technical Experts and Construction to identify non-availability of any product types.

Side-by-side, it is easy to see why the non-availability waiver- based on Standard Specs, is the preferred approach when domestic products are not available.

Public Interest Waivers are not an “easy button” for non-standard or sole sourced products. If there is a need for a non-domestic specialty product, please contact Product Evaluation as soon as the design need is identified. The project schedule may be affected with the 24+ month process.

## Waiver Reminders

“...as domestic supply becomes available, domestic producers will have prompt access to the market created by the program.”

Agencies should always issue, construe, and apply waivers to ensure the maximum utilization of goods, products, and materials produced in the United States, consistent with applicable law.

-From OMB, M-24-02

APL will be updated to reflect waiver status.

As domestic products become available, they must be used. Non-Availability Waiver will be removed.

As the Federal rules state, when a domestic product becomes available, it must be given preference (used by Construction.)

**BABA  
Rules**  
23 CFR 635.410  
and 2 CFR 184

### FDM 110 & Constructability Review:

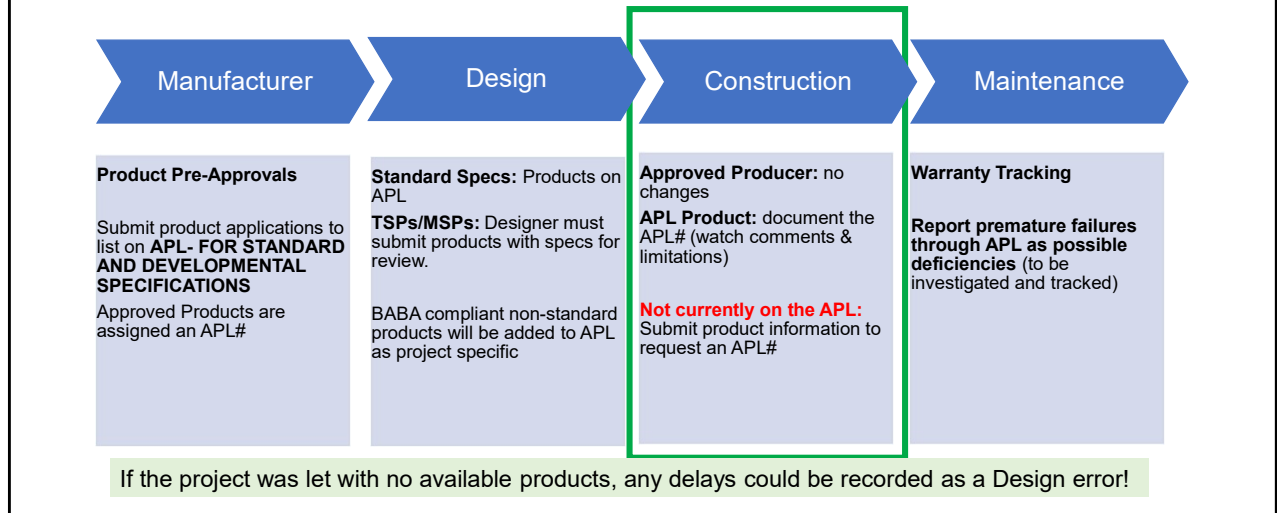
“No Federal-aid highway construction project is to be authorized for advertisement or otherwise authorized to proceed unless the manufactured products used and permanently incorporated in such project are produced in the United States.”

Issues should be resolved before  
the project reaches Construction...

As I mentioned earlier, the APL# and waiver issues SHOULD be addressed before the project reaches Construction.

**We'll continue to remind Designers** that it is always better to avoid problems than to pass an issue on to Construction.

# The Big Picture for FDOT BABA Compliance



For most of you at the Construction Conference, you want to know, “what do I do if the products proposed for use are not on the APL?”

Remember the graphic with the BABA rules by letting date...

**2024 let project:** Waivers were in effect for Manufactured products. **Only the Construction Materials (plastics, polymers, aluminum, etc.) were a concern.**

Items can easily be added to the APL. This helps us to being reaching out to the manufacturers.

A small reminder to the Designer may help to avoid concerns on future projects.

**2025 let project: Waivers were in effect for Manufactured products.** Many Construction Materials (plastics, polymers, aluminum, etc.) were added to the APL.

Items can easily be added to the APL. This helps us to being reaching out to the manufacturers.

Designers were instructed, through the FDM, to ensure that products were available.

Any errors should be brought to the Designer’s attention, with delays recorded as necessary.

**2026 let project:** No national waivers; Product Evaluation began requesting non-availability waivers in late 2025.

Items need Manufacturer's input (APL Path application) to address BABA compliance.

**Design's failure to comply with FDM 110 may be noted as a design error;** many training opportunities were provided over the past year.

# Shop Drawings

**FDM 110:** It is the Designer's responsibility to ensure that eligible products are available for any non-standard specs.

**Specifications, Section 5:** for items normally requiring shop drawings.

**Shop Drawings:** Great for location or project specific dimensions, colors, or features.

- NOT intended as a substitution or "easy button" for failure to design.
- Not intended for Contractor's product selection outside of APL.
- **APL# or Approved Producer is required for all products submitted through shop drawings, per Section 5.**
- **Construction delays may result from a failure to comply.**



The use of **Shop Drawings, per Section 5 of the specs:**

*Shop Drawings: A shop drawing is a drawing or set of drawings produced by the contractor, supplier, manufacturer, subcontractor, or fabricator for prefabricated components. Shop drawings also include all working drawings, erection plans, associated trade literature, material cut-sheets, calculations, schedules, erection manuals, geometry control manuals and other manuals and similar documents **submitted by the Contractor to define some portion of the project work.** The type of work includes both permanent and temporary works as appropriate to the project.*

Shop drawings should not be used as an excuse to avoid ensuring that the project is constructable.

**The Contractor cannot use Shop Drawings to avoid or circumvent the APL.**

**A Design Proprietary Product Certification (PPC) is not a means to avoid the APL.** See FDM 110.

# Accepting Products: APL Eligible



## Does it meet the Contract Documents: Specs, Standard Plans, Project Plans, other?

- Is it on the APL?
- Does the product photo, label, or other identifying feature match the APL?
- Was it installed correctly, whether by spec or Manufacturer's Instructions?
- Other Spec requirements?



## Is it BABA Compliant?

- BABA Eligibility as shown on the APL; no Field Acceptance permitted.
- Any comments or limitations for the APL#?



### APL # provided

**Photo matches:** Product has been reviewed to meet spec requirements

**BABA Eligible:** No comments or limitations restricting the use

**Inspector:** Installed per Manufacturer's Instructions

**Field Testing:** ONLY when required for completed installation

**Documentation:** APL#

**Missing Documentation:** Notify Product Evaluation or report deficiency



Whether products are proposed through Shop Drawings or a list of Proposed Equipment, they must have an APL number.

Does the number make sense?

While it should be obvious that a Utility pipe can't be used for a Drainage pipe, does the APL number correspond to the applicable specification section and pay item?

# Rejecting Products

Options vary by product type!



## Does it meet the Contract Documents: Specs, Standard Plans, Project Plans, other?

- Is it on the APL?
- Does the product photo, label, or other identifying feature match the APL?
- Was it installed correctly, whether by spec or Manufacturer's Instructions?
- Other Spec requirements?



## Is it BABA Compliant?

- BABA Eligibility as shown on the APL; no Field Acceptance permitted.
- Any comments or limitations for the APL#?



## Product meets spec, but not on APL:

**Do not automatically reject!**

Contact Product Evaluation

- Manufacturer name
- Product Name, model/size
- website or other info

Product Evaluation will reach out to manufacturer to invite them to submit an APL application; **project specific approval may be an option, depending on letting date.**



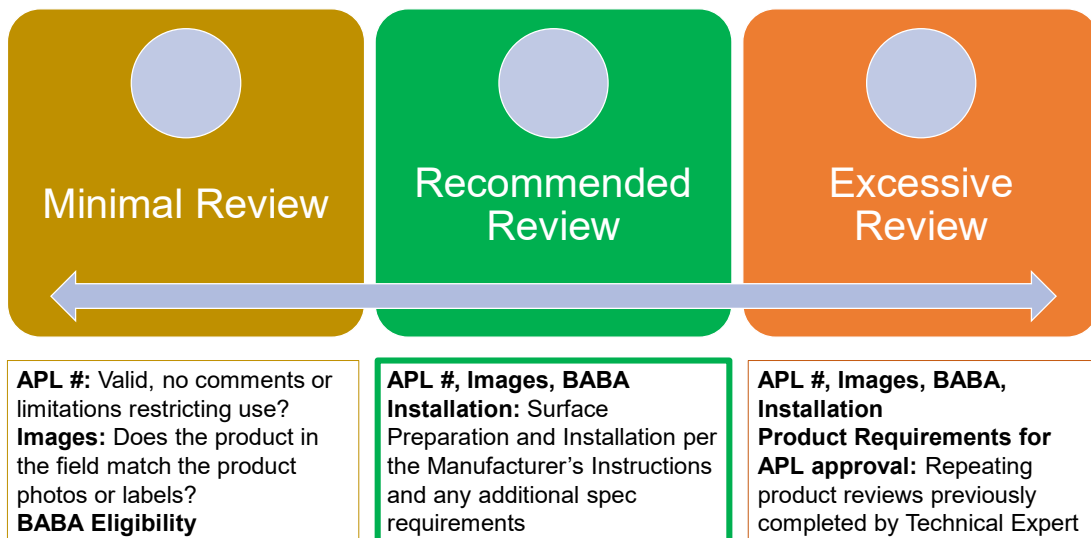
Before you reject a product, please please work with us to consider the options available:

If this is a **Traffic Control Device, there are minimal options**; products **MUST** be on the APL, per Florida Statute 316.0745. This includes devices used for research or experimentation. We're working with TERL to record permits with an APL# for documentation.

If this is something that **has required APL listing, outside of BABA eligibility requirements, there are minimal options**; manufacturers must submit an APL application.

If this is a product that **was field accepted prior to BABA, contact Product Evaluation**. We will make every effort to respond quickly. In many cases, we will review the manufacturer's website, recommend project specific approval, and follow-up with the manufacturer for any future project requests.

## Field Acceptance of APL Products

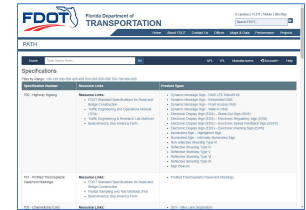


# Contractor- Requesting Additional Products?

**Yes! Contractors are invited to submit names of products, and manufacturers not currently listed on the APL.**

**For Common/Standard Products**, Product Evaluation will reach out to verify BABA compliance, and/or **invite the manufacturer to submit an APL application.**

**For Non-Standard Products**, project specific specifications are applicable; products may receive project specific approval, after verifying BABA compliance.



[Product.Evaluation@dot.state.fl.us](mailto:Product.Evaluation@dot.state.fl.us) :

- FDOT Project number
- Applicable specification section number
- **Product name and/or model number**
- Technical Data Sheet or other details showing materials, if available
- Manufacturer's **product website**

The Contractor wants to request/recommend products to add to the APL? Great. We welcome the input.

# Contractor's Guide

Brochure to help with requesting an APL number for products

**Goal:** Products listed on the APL prior to being proposed for use by the Contractor

**Current Status:** **The APL is growing daily**, with products submitted by manufacturers, requested by Designers, and help requested by CEIs and Project Administrators.

**How long does it take?** Reviews vary from same day (documentation available from the manufacturer) to several months (product testing required by specification)

**Manufacturer's Guide:** *A separate brochure is available for manufacturers, to help explain the APL application process and identifying the applicable FDOT specifications.*



## Approved Product List (APL)

Contractor's Guide  
to requesting APL  
numbers for  
products

Produced by FDOT's  
Product Evaluation Office

Karen Bysam, Administrator  
Melissa Hollis, Specs & Project Issues  
Sarah Smith, System Specialist

February 2026



**Questions?**



## Notifications from FDOT: Contact Database

**Designers, Contractors, FDOT Staff,  
and all others:**

FDOT Contact Management "E-Updates"  
Contact Database/Mailer will be used. Customize  
your interests to avoid unwanted announcements.

<https://cma.fdot.gov/>

**Training announcements are sent  
through the Contact Database!**

# Contact Us: **Product Evaluation**



[Product.Evaluation@dot.state.fl.us](mailto:Product.Evaluation@dot.state.fl.us)

**Product Evaluation group email**

[Karen.Byram@dot.state.fl.us](mailto:Karen.Byram@dot.state.fl.us)

Administrator

[Melissa.Hollis@dot.state.fl.us](mailto:Melissa.Hollis@dot.state.fl.us)

Product Related Specification and Project Issues

[Sarah.Smith@dot.state.fl.us](mailto:Sarah.Smith@dot.state.fl.us)

PATH System Support & Manufacturer Coordinator



# Contact Us: **Final Estimates**



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