



Senator Curry, Representative Gere, and distinguished members of the Joint Standing Committee on Housing and Economic Development, my name is Matt Marks, and I am a Principal at Cornerstone Government Affairs, testifying on behalf of the Associated General Contractors of Maine **in support of LD 1995, “An Act to Require the Maine Office of Community Affairs to Establish a Technical Assistance Materials Hub.”**

#### **Why contractors support LD 1995**

LD 1995 requires the Maine Office of Community Affairs to create and manage a centralized hub for technical assistance materials that provide communities with information and tools on planning, climate resilience, housing, and development.

From a contractor's perspective, this is exactly the kind of practical, "one-stop" resource that can:

- Help municipalities, especially small and rural towns, access consistent and current technical guidance instead of relying on outdated documents or ad hoc advice;
- Improve the predictability and quality of project planning, which reduces change orders, delays, and cost overruns during the design and construction phases; and
- Support better alignment between local planning goals and state and federal requirements, particularly for housing, climate-resilient infrastructure, and community facilities.

The bill's language envisions the hub including:

- Best-available projections, models, assessments, and data related to planning, climate resilience, housing, and development;
- Tools that help visualize regions and communities and integrate data;
- Libraries of white papers, case studies, research articles, and best practices;
- Information on funding opportunities; and
- Regionally prioritized best-practice projects that support collaboration.

For contractors in the field, these elements translate into clearer expectations up front and fewer surprises after communities secure funding and move into design and construction. Better

information at the planning stage is one of the most cost-effective investments the Legislature can make.

### **Coordination with practitioners “on the ground”**

As you move LD 1995 forward, we encourage you to ensure that the Office of Community Affairs continues to coordinate closely with practitioners, including:

- General contractors and specialty subcontractors;
- Design professionals; and
- Municipal officials and code enforcement officers.

Having contractors at the table as the hub is built will help ensure the materials are not only technically sound but also practical, constructible, and realistic in the Maine marketplace.

### **Ensuring alignment with the Buy America Build America Act**

As communities increasingly rely on federal funding, compliance with the Buy America Build America Act (BABA) is no longer optional; it is a central project risk.

Under BABA, for federally assisted infrastructure projects, iron, steel, manufactured products, and construction materials generally must be produced in the United States, with strict domestic-content standards for components and manufacturing processes. These requirements are being actively implemented and refined by federal agencies, and non-compliance can jeopardize funding, delay projects, or force costly substitutions late in the process. Maine’s housing goals will be hindered by compliance requirements.

Because LD 1995 explicitly contemplates that the hub will provide tools, case studies, and information on funding opportunities, it is critical that any materials, tools, or product-related content in the hub be aligned with BABA.

We respectfully recommend the committee:

1. Direct the Office of Community Affairs to include clear guidance on BABA/Buy America compliance within the technical assistance materials hub, including:
  - Plain-language summaries of applicable domestic-content requirements;
  - Links to current federal guidance, waiver information, and agency-specific interpretations; and
  - Sample procurement/contract language communities can use to document compliance.
2. Ensure that any model specifications, product examples, or “recommended” equipment or materials highlighted in the hub are reviewed for BABA compliance, or are clearly labeled when:
  - The example assumes a federal waiver or exemption; or

- The example is intended for non-federally funded projects only.
- 3. Encourage coordination with industry and suppliers so that the hub's content reflects what is actually available in the domestic market and incorporates emerging guidance from agencies like FHWA, EPA, HUD, and others as they operationalize BABA.
- 4. This approach will help municipalities avoid a situation where a technical assistance document directs them to products, assemblies, or design choices that seem good on paper but are not BABA compliant, which could lead to costly redesigns or re-procurements later. Aligning the hub with BABA from the start will protect taxpayers, minimize risks for contractors, and strengthen the case for federal investment in Maine communities.

#### **Regular updates and long-term value**

LD 1995 already requires the Office of Community Affairs to regularly update the hub. That provision is especially important for BABA and other federal requirements, which are evolving as agencies issue guidance, waivers, and rulemakings. Building in a structured update process, ideally with ongoing input from contractors and other practitioners, will ensure the hub remains a trusted, living resource rather than a static website that quickly becomes outdated.

On behalf of Maine contractors, I urge you to give LD 1995 an **Ought to Pass** recommendation, with the clear expectation that:

- Practitioners, including contractors, will be involved in shaping the hub; and
- Any product-related tools, examples, or guidance included in the hub will be **reviewed for consistency with Buy America Build America Act requirements** or clearly labeled where exceptions apply.

Thank you for your time and for your work to strengthen Maine's communities. I would be happy to answer any questions or to participate in stakeholder discussions as the Office of Community Affairs implements this important tool.

Respectfully submitted,

Kelly Flagg, Executive Director  
AGC Maine  
[kelly@agcmaine.org](mailto:kelly@agcmaine.org)