

106-C-277 BUILD AMERICA, BUY AMERICA ACT REQUIREMENTS  
[for Federal-Aid Contracts Only]

(Revised 02-15-24)

The Standard Specifications are revised as follows:

SECTION 106, BEGIN LINE 116, DELETE AND INSERT AS FOLLOWS:

**(c) Build America, Buy America Requirements**

All contracts shall be supplied with steel and iron products *and construction materials* that are produced in the United States. Steel and iron products shall comply with IC 5-16-8, 2 CFR 184, and ~~the~~ 23 CFR 635.410.

A *Build America, Buy America* Certification shall be submitted and received for each product or source of material prior to being incorporated into the contract in accordance with 916.02(e) and 916.03(e).

SECTION 106, BEGIN LINE 140, INSERT AS FOLLOWS:

**a. Exceptions**

The Engineer may grant specific written permission to use foreign steel or iron products when both of the following conditions apply:

- (1) The total cost of all foreign products to be used does not exceed 0.1 percent of the total Contract cost, or \$2,500, whichever is greater. The cost is the value of the product as delivered to the project.
- (2) The specified products are not produced in the United States in sufficient quantity or otherwise are not reasonably available to meet the requirements of the Contract Documents. The Engineer may require the Contractor to obtain letters from three different suppliers documenting the unavailability of a product from a domestic source if the shortage is not previously established by the Department.

**2. Construction Materials**

*All construction materials incorporated permanently into a contract that serve an ongoing need to the finished product shall be manufactured in the United States. All manufacturing processes for the construction materials shall occur in the United States.*

SECTION 916, BEGIN LINE 21, INSERT AS FOLLOWS:

**916.02 Types of Certifications**

Certifications shall be Type A, Type B, Type C, Type D, *Build America*, Buy America, or as required under other types. When specified, the type of certification provided for a material shall be in accordance with the Frequency Manual except as otherwise specified. Specific information and test results required in Type A, Type B, and other types of certifications will be listed in the material specifications. Sample forms for Type A, Type B, Type C, Type D, and *Build America*, Buy America certifications are shown in 916.03. Sample forms for other type certifications are shown in ITM 804.

SECTION 916, BEGIN LINE 57, INSERT AS FOLLOWS:

**(e) Build America, Buy America Requirement**

All steel and iron materials and products *and construction materials* used in the

contract shall be certified to be in accordance with 106.01(c).

SECTION 916, BEGIN LINE 225, INSERT AS FOLLOWS:

**(e) Sample *Build America, Buy America* Certification Form**

***BUILD AMERICA, BUY AMERICA CERTIFICATION***

SECTION 916, BEGIN LINE 254, INSERT AS FOLLOWS:

***2. Construction Materials***

*In accordance with 106.01(c)2, I hereby certify that all construction materials and manufacturing processes for the materials listed below occurred in the United States of America or territories subject to its jurisdiction.*

<i>Material Name*</i>	<i>Quantity (units)</i>
_____	_____
_____	_____
_____	_____

\* *Identifying information shall be shown when appropriate. A separate certification is required for each different manufacturer.*

\_\_\_\_\_  
Signature of Company Official

\_\_\_\_\_  
Title

Date: \_\_\_\_\_

\_\_\_\_\_  
*Company Name*

\_\_\_\_\_  
Signature of Contractor Official

\_\_\_\_\_  
Title

Date: \_\_\_\_\_