



**SUPPLEMENTAL SPECIFICATIONS
FOR
BUILD AMERICA, BUY AMERICA**

**Effective Date
December 20, 2022**

THE STANDARD SPECIFICATIONS, SERIES 2015, ARE AMENDED BY THE FOLLOWING MODIFICATIONS AND ADDITIONS. THESE ARE SUPPLEMENTAL SPECIFICATIONS AND THEY SHALL PREVAIL OVER THOSE PUBLISHED IN THE STANDARD SPECIFICATIONS.

These specifications replace Article 1107.06, B of the Standard Specifications. The new Materials I.M. 107 is attached for reference.

1107.06, B, Buy America.

Replace the title and Article:

B. Build America, Buy America.

On Federal aid contracts and contracts where the Department is the Contracting Authority, all products of iron, steel, or a coating of steel and construction materials, which are permanently incorporated into the work, shall be of domestic origin and shall be melted and manufactured in the United States, according to comply with the Build America, Buy America Act (BABA) and Materials I.M. 107. Construction materials for the purposes of BABA compliance are defined below.

- 1.** All products of iron and steel shall be of domestic origin and shall be melted and manufactured in the United States. All coatings of iron and steel products shall be applied in the United States. The Engineer may allow minimal amounts of these materials from foreign sources may be allowed, provided the cost does not exceed 0.1% of the contract sum or \$2,500, whichever is greater. This amount shall include transportation, assembly, and testing as delivered cost of foreign products to the project.
- 2.** All construction materials shall be produced in the United States. Construction materials are defined as an article, material, or supply that is or consists primarily of:
 - non-ferrous metals;
 - plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
 - glass (including optic glass);
 - lumber; or
 - drywall.

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GENERAL

This IM is intended to provide additional instruction in the acceptance of permanently incorporated steel and iron products as it relates to the Buy America requirements in 23 CFR 635.410. A manufactured product is considered subject to Buy America if it is predominantly steel or iron. to the Build America, Buy America (BABA) requirements under the Infrastructure Investment and Jobs Act (IIJA) and Standard Specification 1107.06.

With the exception of the excluded items listed below, the IIJA requires the following three BABA preferences. An article, material, or supply shall only be classified into one of these categories, and not multiple categories.

1. Products of Iron and Steel

All iron and steel permanently incorporated into the project must be produced in the United States, including all manufacturing processes, from the initial melting stage through the application of coatings. A manufactured product that is predominantly steel or iron shall be treated as an item of iron and steel.

2. Manufactured Products

Items that consist of two or more construction or non-construction materials that have been combined together through a manufacturing process will be treated as a manufactured product rather than a construction material. Manufactured products are exempt from the requirements of BABA.

3. Construction Materials

All construction materials must be manufactured in the United States.

4. Excluded items-The following items are excluded from the requirements of BABA:

- cement and cementitious materials
- asphalt binders
- chemical admixtures
- aggregates such as stone, sand, or gravel
- asphalt release agents
- aggregate binding agents
- additives

PRODUCTS of Iron and Steel

The following lists of Iron and Steel products, at a minimum, are subject to the Buy America requirements.

Group 1 – Products requiring mill test reports with shipments to projects

[IM 440](#) - Trenchless Steel Casing and/or Carrier Pipe

[IM 451](#) – Steel Reinforcement

[IM 451.02](#) – Galvanized Steel Bars

[IM 451.03B](#) – Epoxy-Coated Steel Reinforcement

[IM 452](#) – Deformed and Plain Stainless Steel Bars for Concrete Reinforcement

[IM 453.06B](#) – High Strength Fasteners
[IM 453.07](#) – Stainless Steel Fasteners
[IM 453.08](#) – Anchor Bolts
[IM 467](#) – Steel Piles
[IM 467.01](#) – Steel H-Piles
[IM 467.02](#) – Steel Sheet Piles
[IM 467.03](#) – Steel Pipe Piles
[IM 468](#) – Pile Points for Steel H-Piles
[IM 557](#) – Qualification of Steel Fabrication Shops & Plants

Group 2 – Products not requiring mill test reports with shipments to projects, when the product is from an approved fabricator/supplier

[IM 411](#) – Truncated Domes/Detectable Warning Systems
[IM 441](#) – Corrugated Metal Culvert Pipe
[IM 441.01](#) – Coupling devices for corrugated metal culvert pipe
[IM 443.01](#) – Rodent Guards
[IM 443.02](#) – Safety Grates
[IM 444](#) – Corrugated Zinc-Coated Steel Plates for Pipes & Arches
[IM 445](#) – Precast Concrete
[IM 445.01](#) – Concrete Pipe & Special Sections
[IM 445.02](#) – Precast Box Culverts
[IM 445.03](#) – Mechanically-Stabilized Earth (MSE) Retaining Wall Panels
[IM 445.06](#) – Precast Concrete Noise Walls
[IM 449.05](#) – Inspection & Acceptance of Utility Access Adjustment Rings
[IM 451.01](#) – Reinforcing Steel Supports
[IM 453.04](#) – Steel Castings (Carbon), Gray Iron Castings, and Ductile Iron Castings
[IM 453.09](#) – Concrete Anchors
[IM 453.10](#) – Shear Stud Connectors
[IM 454.10](#) – Chain-Link Fence and Field Fence
[IM 455.01](#) – High Tension Cable Guardrail
[IM 455.02](#) – Formed Steel Beam Railing, Cable Rail, Anchor Cable & Steel Post for Guardrail
[IM 485](#) – Light Pole Bases
[IM 485.10](#) – Inspection & Acceptance of Rigid Steel Conduit
[IM 486.10](#) – Perforated Square Steel Tube Post and Anchor
[IM 558](#) – Structural Field Welding & Inspection
[IM 565](#) – Steel Fabrication Shop Documentation
[IM 570](#) – Precast & Prestressed Concrete Bridge Units
[IM 571](#) – Plants for Production of Precast Concrete Barrier
[Standard Specification Section 4185](#) – Junction boxes, control cabinets and control boxes

REQUIRED DOCUMENTATION

The required documentation for all iron and steel products incorporated in a project will be at a minimum the mill test report and materials identification in addition to all product specific information identified in the pertinent IM.

The mill test report must include the following information: Steel mill name and location, material heat number, material grade, product specifications met, material dimensions, mechanical properties, chemical analysis, heat treatment (if applicable), certified mill signature.

The materials identification must provide traceability by heat number, grade, and type. As an example, the bill of lading may help provide this traceability.

Additionally, mill test reports must contain a certification statement indicating all steel or iron has been melted and manufactured in the USA in accordance with the Buy America requirements. All coated steel or iron must have a certification statement indicating all coatings have been applied in the USA.

Products from Approved Fabricators/Suppliers

The approved fabricator/supplier is required to maintain a file containing all required documentation for a minimum of seven years from the time the products are shipped for incorporation into a project. The required documentation will be at a minimum the information indicated above plus anything product specific identified in the pertinent IM.

Project Documentation from Approved Fabricators/Suppliers

If an item is not identified as a group 2 item, then the product is classified as a group 1 item.

Product IMs identified above in Group 1 indicate the fabricator/supplier will be required to provide mill test reports with shipments to the project.

For products in Group 2, the fabricator/supplier must provide a letter certifying all of the materials are in compliance with Buy America and the necessary supporting documentation will be retained as indicated in A above. Documentation shall be made available to the Engineer upon request.

Products from Unapproved Fabricators/Suppliers

All documentation from unapproved fabricators/suppliers must be provided at the time of shipment and prior to incorporation.

Construction Materials

The producer/supplier must provide a letter certifying all construction materials are in compliance with BABA in addition to all product specific information identified in the pertinent IM. Necessary supporting documentation will be retained for a minimum of seven years from the time the products are shipped for incorporation into a project. Documentation shall be made available to the Engineer upon request