

1 (August 6, 2012)
2 In accordance with Buy America requirements contained in 23 CFR 635.410, the major
3 quantities of steel and iron construction material that is permanently incorporated into
4 the project shall consist of American-made materials only. Buy America does not apply
5 to temporary steel items, e.g., temporary sheet piling, temporary bridges, steel
6 scaffolding and falsework.
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8 Minor amounts of foreign steel and iron may be utilized in this project provided the cost
9 of the foreign material used does not exceed one-tenth of one percent of the total
10 contract cost or \$2,500.00, whichever is greater.
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12 American-made material is defined as material having all manufacturing processes
13 occurring domestically. To further define the coverage, a domestic product is a
14 manufactured steel material that was produced in one of the 50 States, the District of
15 Columbia, Puerto Rico, or in the territories and possessions of the United States.
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17 If domestically produced steel billets or iron ingots are exported outside of the area of
18 coverage, as defined above, for any manufacturing process then the resulting product
19 does not conform to the Buy America requirements. Additionally, products
20 manufactured domestically from foreign source steel billets or iron ingots do not
21 conform to the Buy America requirements because the initial melting and mixing of
22 alloys to create the material occurred in a foreign country.
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24 Manufacturing begins with the initial melting and mixing, and continues through the
25 coating stage. Any process which modifies the chemical content, the physical size or
26 shape, or the final finish is considered a manufacturing process. The processes include
27 rolling, extruding, machining, bending, grinding, drilling, welding, and coating. The
28 action of applying a coating to steel or iron is deemed a manufacturing process.
29 Coating includes epoxy coating, galvanizing, aluminizing, painting, and any other
30 coating that protects or enhances the value of steel or iron. Any process from the
31 original reduction from ore to the finished product constitutes a manufacturing process
32 for iron.
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34 Due to a nationwide waiver, Buy America does not apply to raw materials (iron ore and
35 alloys), scrap (recycled steel or iron), and pig iron or processed, pelletized, and reduced
36 iron ore.
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38 The following are considered to be steel manufacturing processes:
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- 40 1. Production of steel by any of the following processes:
 - 41 a. Open hearth furnace.
 - 42 b. Basic oxygen.
 - 43 c. Electric furnace.
 - 44 d. Direct reduction.
 - 45 2. Rolling, heat treating, and any other similar processing.
 - 46 3. Fabrication of the products.
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- a. Spinning wire into cable or strand.
- b. Corrugating and rolling into culverts.
- c. Shop fabrication.

A certification of materials origin will be required for any items comprised of, or containing, steel or iron construction materials prior to such items being incorporated into the permanent work. The certification shall be on DOT Form 350-109EF provided by the Engineer, or such other form the Contractor chooses, provided it contains the same information as DOT Form 350-109EF.