



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

**Effective Date
December 19, 2023**

THE STANDARD SPECIFICATIONS, SERIES 2023, 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 Article:

B. Build America, Buy America.

On Federal aid contracts and contracts where the Department is the Contracting Authority, all products of iron, steel, and construction materials, which are permanently incorporated into the work, shall 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. 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);
 - fiber-optic cable (including drop cable);
 - optical fiber;
 - lumber; or
 - engineered wood; or
 - drywall.

BUILD AMERICA, BUY AMERICA

GENERAL

This IM is intended to provide additional instruction 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

Iron or steel products means articles, materials, or supplies that consist wholly or predominately of iron or steel or a combination of both.

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.~~

PRODUCTS of Iron and Steel

The following lists of Iron and Steel products, at a minimum, are subject to ~~the~~ BABA ~~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~~

Group 3 – Products not requiring mill test reports with shipments to projects and products requiring a letter certifying products comply with BABA.

[IM 411](#) – Truncated Domes/Detectable Warning Systems
[IM 441.01](#) – Coupling devices for corrugated metal culvert pipe
[IM 443.01](#) – Rodent Guards
[IM 443.02](#) – Safety Grates
[IM 451.01](#) – Reinforcing Steel Supports
[IM 454.10](#) – Chain-Link Fence and Field Fence
[IM 455](#) – Crash Cushions
[IM 485](#) – Light Pole Bases
[IM 485.10](#) – Inspection & Acceptance of Rigid Steel Conduit
[IM 486.10](#) – Perforated Square Steel Tube Post and Anchor
[Standard Specification Section 4149](#) – Sanitary and Storm Sewer Pipe and Structures Materials
[Standard Specification Section 4150](#) – Water Main, Valve, Fire Hydrant, and Appurtenance Materials
[Standard Specification Section 4185](#) – Junction boxes, control cabinets and control boxes
[Standard Specification Section 4189](#) – Traffic Signal Equipment

Required Documentation for Products of Iron and Steel

If a product of iron and steel is not identified as a group 2 or group 3 product, then the product is classified as a group 1 product of iron and steel.

Group 1 Products.

The required documentation for all group 1 products of 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 BABA Buy America requirements. All coated steel or iron must have a certification statement indicating all coatings have been applied in the USA.

Group 2 Products.

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 Products, the fabricator/supplier must provide a letter certifying all of the materials are in compliance with BABA Buy America and the necessary supporting documentation will be retained as indicated 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.

Group 3 Products.

For Group 3 Products, the fabricator/supplier must provide a letter certifying all of the materials are in compliance with BABA and the necessary supporting documentation will be retained as indicated in Group 2 products from an approved fabricator/supplier. Documentation shall be made available to the Engineer upon request.

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.

Manufactured products mean: Articles, materials, or supplies that have been: Processed into a specific form and shape; or combined with other articles, materials, or supplies to create a product with different properties than the individual articles, materials, or supplies. If an item is classified as an iron or steel product, a construction material, or otherwise excluded, (see below), then it is not a manufactured product.

A manufactured product that is predominantly steel or iron shall be treated as an item of iron and steel.

Note: Predominantly of iron or steel means that the cost of the iron and steel content exceeds 50 percent of the total cost of all its components. The cost of iron and steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components.

3. Construction Materials

Construction materials means articles, materials, or supplies that consist of only one of the items listed below:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- fiber-optic cable (including drop cable);
- optical fiber;
- lumber;
- engineered wood; or
- drywall.

Note: Minor additions of articles, materials, supplies, or binding agents to a construction material do not change the categorization of the construction material.

All construction materials must be produced in the United States.

The definition of “produced in the United States” is shown below for each listed construction material:

- Non-ferrous metals. All manufacturing processes. From initial smelting or melting or through final shaping, coating, and assembly, occurred in the United States.
- Plastic and polymer-based products: All manufacturing processes, from initial combination of constituent plastic or polymer-based inputs, or, where applicable, constituent composite materials, until the item is in its final form, occurred in the United States.

- Glass. All manufacturing processes, from initial batching and melting of raw materials through annealing, cooling, and cutting, occurred in the United States.
- Fiber optic cable (including drop cable). All manufacturing processes, from the initial ribboning (if applicable), through buffering, fiber stranding and jacketing, occurred in the United States. All manufacturing processes also include the standards for glass and optical fiber, but not for non-ferrous metals, plastic and polymer-based products, or any others.
- Optical fiber. All manufacturing processes, from the initial preform fabrication stage through the completion of the draw, occurred in the United States.
- Lumber. All manufacturing processes, from initial debarking through treatment and planing, occurred in the United States.
- Drywall. All manufacturing processes, from initial blending of mined or synthetic gypsum plaster and additives through cutting and drying of sandwiched panels, occurred in the United States.
- Engineered wood. All manufacturing processes from the initial combination of constituent materials until the wood product is in its final form, occurred in the United States.

The following lists of Construction Materials, at a minimum, are subject to the BABA requirements.

[IM 410.01](#) – Galvanizers, Zinc coating

[IM 443](#) – Corrugated Polyethylene Tubing

[IM 446](#) – Plastic Pipe

[IM 451.01](#) – Reinforcing Steel Support

[IM 486.06](#) – Modular Glare Screens

[Standard Specification Section 4162](#) – Untreated Timber and Lumber

Required Documentation for 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.

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

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.~~

Tracking Non-Compliant Materials

Should any item not comply with BABA, the value of this item shall be tracked by the Prime Contractor. Prior to incorporation, the Prime Contractor shall notify the Engineer of all products not in compliance. The Prime Contractor shall verify that the value of all non-BABA compliant material remains below the de minimus level set by the Iowa DOT for BABA.

Failure to disclose non-BABA compliant pertinent information may disqualify the entire product from payment on the contract and may require removal of the product from the project.