

Build America Buy America (BABA) in 2025

Michael Dennee, Contract Services Group Coordinator



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What has changed

- Implementation of the new Build America Buy America requirements will be focused on the use of Construction materials which are non-ferrous metals, plastic and polymer-based products, glass, fiber optic cable, lumber, **engineered wood**, drywall.
- *Note: Minor additions of articles, materials, supplies, or binding agents to a construction material do not change the categorization of the construction material. (Coatings and Glue) effective for contracts with federal construction authorization after **October 23, 2023**.*



Implementation

- Build America Buy America does allow for de minimis amount of foreign construction material incorporated in projects
- The allowances for foreign iron or steel from Buy America still remains the same
- There will be two forms that are required (depending on the type of material)
 - Form 734-2126 – Certificate of Materials Origin
 - Form 734-5378 – Construction Materials CMO



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De minimis allowance

- The USDOT issued a Public Interest Waiver for De Minimis Costs and Small Grants. The final waiver can be viewed here:
<https://www.federalregister.gov/documents/2023/08/16/2023-17602/waiver-of-buy-america-requirements-for-de-minimis-costs-and-small-grants> and this waiver applies to materials covered by the Build America Buy America Act effective for contracts with federal construction authorization after **August 16, 2023.**



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De minimis allowance

- In order to apply the BABA de minimis amount on a project with assistance of \$500K or more, the lesser of \$1M or 5%, we will need to determine the “Total applicable project costs” for that Project. Using a Build America Buy America Total Applicable Costs Worksheet, form 734-5436.



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[illegible]


Foreign Construction Material Summary 734-5437 Example

[illegible]

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**Total Applicable
Costs Worksheet
734-5436**




|  | <h1 style="margin: 0;">Build America Buy America Act Total Applicable Costs Worksheet</h1> | Print Form | | |
|---|--|---|-------------------------------|-----------------|
| | | | | |
| Project Name Section | | Control No. | | |
| <p>Materials costs: that count toward the total applicable costs. Submit this worksheet to the BE Office when any construction materials of foreign or unknown origin are first incorporated into the Project to estimate total applicable costs for the Project and following completion of all On-Site Work. This worksheet must also be submitted upon the Engineer's request. Include iron and steel, nonmetallic hard products, and construction materials.</p> | | <p>Control No.:</p> | | |
| <p>Materials costs that DO NOT count toward total applicable costs include temporary items and exempted items. BABA does not apply to temporary items. The performance only applies to articles, materials and supplies that are contained in, incorporated into, or affixed to an infrastructure project. BABA excludes asphalt products, cement and concrete products, aggregates, or concrete additions.</p> | | | | |
| Bid Item # | Material | Estimated Cost Left to Complete All Items | Incorporated Cost To Date | Applicable Cost |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| Add Row | | | | |
| | | | Total Applicable Costs | |
| <p>This summary represents the total applicable costs of materials that have been, or have been estimated to be, incorporated into the contract under the Contract Specifications titled 00160-20(0) Build America Buy America. Copies of records used to determine these costs will be furnished to the Engineer upon request according to 00170-07.</p> | | | | |
| Authorized Representative _____ | | Company _____ Date _____ | | |

73A-642 (06-16-2020)
1 of 4

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1 of 1



Build America Buy America Act
Total Applicable Costs Worksheet

Big Dig and Pave
Project Name (Section)

C17123
Contract No.

Materials costs that count toward the total applicable costs. Submit this worksheet to the RE Office when any construction materials of foreign or unknown origin are first incorporated into the Project to estimate total applicable costs for the Project and following completion of all On-Site Work. This worksheet must also be submitted upon the Engineer's request. Include iron and steel, manufactured products, and construction materials.

Materials costs that DO NOT count toward total applicable costs include temporary items and exempted items. BABA does not apply to temporary items. The BABA preference only applies to articles, materials and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. BABA excludes asphalt products, cement and cementitious products, aggregates, or concrete additives.

| Bid Item # | Material | Estimated Cost Left to Complete Bid Item | Incorporated Cost to Date | Applicable Cost |
|------------|------------------|--|---------------------------|-----------------|
| 0240 | Geotextile | | \$3,025.36 | \$3,025.36 |
| 0280 | Guardrail | | \$28,432.40 | \$28,432.40 |
| 0330 | Attenuator | | \$44,000.00 | \$44,000.00 |
| 0340 | Sign supports | | \$132,560.99 | \$132,560.99 |
| 0380 | Cantilever Signs | | \$289,765.50 | \$289,765.50 |
| 0430 | ITS systems | | \$625,160.75 | \$625,160.75 |
| 0510 | Reinforcement | | \$21,633.33 | \$21,633.33 |
| 0550 | PVC Pipe | | \$18,634.33 | \$18,634.33 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Add Row | | | Total Applicable Costs | \$1,163,212.66 |

This summary represents the total applicable costs of materials that have been, or have been estimated to be, incorporated into the contract under the Contract Specifications titled 00160.20(d) Build America Buy America. Copies of records and/or invoices used to determine these costs will be furnished to the Engineer upon request according to 00170.07.

Authorized Representative

Company

Date

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De minimis allowance

- Assuming a \$10 million paving project with over \$500K in federal assistance. The paving materials themselves, asphalt and aggregate don't count. We look at estimated material costs for things like pavement markings, delineation, and perhaps some minor signs or drainage and all those material costs for materials under BABA or Buy America add up to \$100,000 "Total applicable project costs", then the waiver would allow up to \$5,000 (5%) of the construction materials under BABA to be unknown or foreign.



De minimis allowance

- Assuming a \$10 million bridge project with over \$500K in federal assistance. The concrete and paving materials themselves, Portland cement, asphalt and aggregate don't count. We look at estimated material costs for things like reinforcement steel, bearings, bridge rail, piling, pavement markings, delineation, and perhaps some minor signs or drainage and all those material costs for materials under BABA or Buy America add up to \$1 million "Total applicable project costs", then the waiver would allow up to \$50,000 (5%) of the construction materials under BABA to be unknown or foreign.



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What has changed


- Specific items that Build America Buy America does apply to
 - Lumber- Treated or Glued
 - Glass beads- Coating
 - PVC items- With or Without rubber gaskets
 - Galvanic Zinc Anodes
 - Engineered Wood - structural composite lumber and cross-laminated timber. * Not a complete listing of Construction Materials see the Material Classification Guide for additional information.



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General Construction Inspector

December 2024



CERTIFICATE OF MATERIALS ORIGIN

[Print Form](#)

| | | | |
|---|--|---------------|--|
| PROJECT NAME (SECTION) | | CONTRACT NO. | |
| DOT ITEM NO. | | DOT ITEM NAME | |
| DOMESTIC MATERIALS SOURCE (NAME AND ADDRESS) | | | |
| DOMESTIC MATERIALS DESCRIPTION | | | |
| FOREIGN MATERIALS SOURCE INCLUDING MATERIALS OF UNKNOWN ORIGIN (NAME AND ADDRESS) | | | |
| FOREIGN MATERIALS (OR OF UNKNOWN ORIGIN) DESCRIPTION AND VALUE OF IRON OR STEEL PRODUCT AS IT IS DELIVERED TO THE PROJECT | | | |

This certification is made for the purpose of establishing materials acceptance under the Contract Special Provisions titled 90100.20(a) Buy America. All iron or steel manufacturing processes, including protective coatings, for the domestic materials described above occurred within the United States of America.

Manufacturers' certificates verifying the origin of the above described domestic materials will be kept on file for three years following final payment. Copies will be furnished to the Engineer upon request.

I declare under penalty of perjury or falsification under Oregon and Federal laws that the foregoing is true and correct.

AUTHORIZED REPRESENTATIVE*

NAME: _____


TITLE: _____

SIGNATURE: _____

DATE: _____

COMPANY* NAME AND ADDRESS:

Submit a new certificate for subsequent shipments if any of the above information changes. *May be Contractor, Sub-Contractor or supplier



**Construction Material
Certificate of Materials Origin**

This form is for projects with federal construction information between 1/1/2012 and 6/1/2023 and does not allow the use of any non-domestic Construction Material.

[Print Form](#)

| | | | |
|---------------------------------------|--|---------------|--|
| Project Name/Section | | Contract No. | |
| DOT Item No. | | DOT Item Name | |
| Domestic Materials Source | | | |
| Name | | | |
| Address | | | |
| Description (Maximum 1000 characters) | | | |

This certification is made for the purpose of establishing materials acceptable under the Contract Specifications titled 90100.20(a) Buy America. All manufacturing processes for the domestic materials described above occurred within the United States of America.

Manufacturers' certificates verifying the origin of the above described domestic materials will be kept on file for three years following final payment. Copies will be furnished to the Engineer upon request.

I declare under penalty of perjury or falsification under Oregon and Federal laws that the foregoing is true and correct.

Authorized Representative*

NAME _____

TITLE _____

DATE _____

Company* Name and Address

COMPANY _____

ADDRESS 1 _____

ADDRESS 2 _____

ADDRESS 3 _____

CITY/STATE/ZIP _____

Submit a new certificate for subsequent shipments if any of the above information changes. *May be Contractor, Subcontractor or Supplier

734-2105 (1-1-2022)

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[illegible]

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Contract Administration – BABA

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Materials Classification Guide

- List of most Construction Materials
- Organized by Material Codes and Specification
- 39 Pages of Material information
- Identifies how most Materials are addressed

Disclaimer: This spreadsheet is to be used as a guide to help determine the BABA classification of installed materials. The classification of the specific product installed may differ from the classification listed on this guide. Refer to the manufacturer's information to determine the proper classification of the specific product. This Guide will be updated and amended as needed. Refer to SP00160.20 Preferences for Materials for additional information.



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Materials Classification Guide

BABA Material Classification Guide
Oregon Department of Transportation

Page 7

| MATERIAL CODE | MATERIAL DESCRIPTION | CLASSIFICATION | QPL | NOTES |
|----------------|--|----------------|-----------------|--------------------|
| 00470.10.00.00 | Precast Vault | I/S | | |
| 00470.11.00.00 | Precast Concrete Manhole | I/S | | |
| 00470.12.00.00 | Manholes, Catch Basins, and Inlets, Cap Screws | I/S | | |
| 00470.13.00.00 | Manholes, Catch Basins, and Inlets, Inside Drop Manhole Connectors | I/S | | |
| 00470.42.00.00 | Precast Concrete Catch Basins and Inlets, Grade Adjustment Bolt System | I/S | QPL | |
| 00475.10.00.00 | Well Casing | I/S | | |
| 00510.13.00.00 | Structure Excavation and Backfill, Granular Structure Backfill | Exempt | | |
| 00512.13.00.00 | Steel Casing | I/S | | |
| 00512.14.a.00 | Drilling Slurry, Mineral Slurry | Exempt | | |
| 00512.14.b.00 | Drilling Slurry, Synthetic Slurry | Exempt | QPL | |
| 00512.14.c.00 | Drilling Slurry, Water Slurry | Exempt | | |
| 00512.15.00.00 | Crosshole Sonic Log Access Tubes | I/S | | |
| 00512.18.00.00 | Crosshole Sonic Log Cement Grout | Exempt | | |
| 00515.10.00.00 | Micropile | I/S | | |
| 00520.43.12.00 | Steel Piles, Mechanical Splices | I/S | | |
| 00530.14.00.00 | Concrete Inserts | I/S | | |
| 00535.10.00.00 | Concrete Anchor, Resin High Strength | MP | QPL | |
| 00535.10.00.01 | Concrete Anchor, Resin Low Strength | MP | QPL | |
| 00535.10.b.00 | Mechanical Anchor System | I/S | QPL | |
| 00536.11.00.00 | Threaded Shear Anchors | I/S | | |
| 00538.10.00.00 | Epoxy Resin | MP | QPL | |
| 00542.10.a.00 | Pumped Repair Mortar | Exempt | | |
| 00542.16.00.00 | Hollow Wall Anchors | CM | Plastic/polymer | |
| 00542.18.00.00 | Galvanized Zinc Anodes | CM | | |
| 00545.10.00.00 | Bridge End Panel Pipe | CM | PVC pipe | |
| 00545.10.00.00 | Bridge End Panel Pipe | I/S | Steel pipe | |
| 00550.00.a.00 | Fabricated Precast Prestressed Members | Exempt | | |
| 00555.03.00.00 | Anchorage Devices | I/S | | |
| 00556.10.a.00 | Multilayer Polymer Concrete Overlay Epoxy | MP | QPL | Manufactured epoxy |

Last revised: 12/01/2023



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Blue Sheet Materials

- Represents all materials covered by the Blue Sheets for traffic signals
- Organized by equipment categories
- 2 pages of information
- Identifies how each signal material is addressed



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| Blue Sheets list | | | | | |
|---|-------------------------------|----------------|---------------------------------|---------------------------|---|
| Blue Sheet Materials | CMO/CCMO block on Blue Sheets | Iron/Steel CMO | BABA construction material CCMO | BABA manufactured product | Comments |
| Temporary features | | | | | |
| temporary covers | | NO | NO | YES | |
| temporary meter base socket | | NO | NO | YES | |
| temporary service cabinet | | NO | NO | YES | |
| temporary terminal cabinet | YES - CMO*** | ***NO/YES | NO | NO | ***CMO only required if used in permanent applications |
| temporary pre-cast 332s foundation | | NO | NO | YES | |
| Temporary span wire equipment | | | | | |
| cable ties | YES - CCMO*** | NO | ***NO/YES | NO | ***CCMO only required if used in permanent applications |
| messenger, tether, & stabilizer cable | YES - CMO*** | ***NO/YES | NO | NO | ***CMO only required if used in permanent applications |
| eyebolt, turnbuckle, strandwire, S-hook | YES - CMO*** | ***NO/YES | NO | NO | ***CMO only required if used in permanent applications |
| span wire hanger | YES - CCMO*** | NO | ***NO/YES | NO | ***CCMO only required if used in permanent applications |
| tether clamps | YES - CMO*** | ***NO/YES | NO | NO | ***CMO only required if used in permanent applications |
| tri-stud adaptor | | NO | NO | YES | |
| Poles and pedestals | | | | | |
| chase nipple | YES - CMO | YES | NO | NO | |
| pipe plugs | YES - CMO | YES | NO | NO | |
| pedestal | YES - CCMO | NO | YES | NO | |
| Conduit & appurtenances | | | | | |
| conduit | YES - CMO/CCMO* | YES (steel) | YES (non-metallic) | NO | *Steel requires CMO and non-metallic requires CCMO |
| conduit bushings | YES - CMO/CCMO* | YES (steel) | YES (non-metallic) | NO | *Steel requires CMO and non-metallic requires CCMO |
| conduit plug | YES - CCMO | NO | YES | NO | |
| conduitlet | YES - CMO | YES | NO | NO | |
| conduit hub | | NO | NO | YES | |
| expansion fitting | | NO | NO | YES | |
| pull line | YES - CCMO | NO | YES | NO | |
| underground warning tape | YES - CCMO | NO | YES | NO | |
| Junction box | | | | | |
| junction boxes | | NO | NO | YES | |
| Cables, wires, grounding/bonding & appurtenances | | | | | |
| bond wire | YES - CCMO | NO | YES | NO | |
| ground rod | YES - CMO | YES | NO | NO | |
| ground rod clamp | YES - CCMO | NO | YES | NO | |
| control cable | | NO | NO | YES | |
| industrial ethernet cable | | NO | NO | YES | |
| interconnect cable | | NO | NO | YES | |
| TFN, THWN, & XHHW wire | | NO | NO | YES | |
| strain relief | YES - CMO | YES | NO | NO | |
| Sign mounting | | | | | |
| Radio mount | | NO | NO | YES | |
| video detection mount | | NO | NO | YES | |
| Pedestrian equipment | | | | | |
| pedestrian signal and mount | | NO | NO | YES | |
| LED module (pedestrian signal) | | NO | NO | YES | |
| pushbutton and mount | | NO | NO | YES | |



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QPL

- Identifies in the “Remarks” column which QPL items will require a CMO for either steel or construction materials

QPL items List

| ODOT CONSTRUCTION / MATERIALS SECTION | | | | | | | |
|---|--|---------------------------------|--|----------------|----------------|------|--|
| QUALIFIED PRODUCTS LIST | | | | | | | |
| APPROVED LIST - NO SAMPLES OR TESTS REQUIRED* | | | | | | | |
| QUALIFIED LIST - ADDITIONAL REQUIREMENTS* | | | | | | | |
| DECEMBER 2022 | | | | | | | |
| STANDARD SPEC # | CATEGORY | PRODUCT NAME | LOCAL REPRESENTATIVE AND/OR MANUFACTURER | EFFECTIVE DATE | PRODUCT NUMBER | LIST | REMARKS |
| 00038.10 | CRACK INJECTION EPOXY | SIKADUR 82 | SIKA CORPORATION 800933-7452 THAD BROWN 420486-5918 ATLAS SUPPLY 800806-7462 MASON'S SUPPLY 800537-3427 | 11/13/08 | 548 | A | AASHTO TYPES I AND IV. |
| 00038.10 | CRACK INJECTION EPOXY | DURAL 452 LV | EUCLO CHEMICAL COMPANY, THE 800521-7028 DAVE DILLON 206280-4576 MASON'S SUPPLY 800537-3427 | 03/17/14 | 4752 | A | |
| 00556.10A | MULTI-LAYER POLYMER CONCRETE OVERLAY EPOXY | CRACKBOND EPOTHANE T3 | ADHESIVES TECHNOLOGY CORP. 854789-4764 | 08/18/22 | 5434 | Q | CONSTRUCTION MATERIAL CMO REQUIRED |
| 00556.10A | MULTI-LAYER POLYMER CONCRETE OVERLAY EPOXY | EPK50-OVERLAY | E-CHEM, LLC JAMES HIGH 505217-2121 | 06/04/15 | 4654 | Q | CONSTRUCTION MATERIAL CMO REQUIRED |
| 00556.10A | MULTI-LAYER POLYMER CONCRETE OVERLAY EPOXY | EPK50-OVERLAY FAST | E-CHEM, LLC JAMES HIGH 505217-2121 | 04/18/17 | 5048 | Q | FOR USE AT LOW TEMPERATURES FOLLOW MANUFACTURERS RECOMMENDATIONS TEST DECK 2017 CONSTRUCTION MATERIAL CMO REQUIRED |
| 00556.10A | MULTI-LAYER POLYMER CONCRETE OVERLAY EPOXY | FLEXOLITH | EUCLO CHEMICAL COMPANY, THE 800521-7028 DAVE DILLON 206280-4576 MASON'S SUPPLY 800537-3427 | 01/10/08 | 230 | Q | WAS FLEXOLITH 216 CONSTRUCTION MATERIAL CMO REQUIRED |
| 00556.10A | MULTI-LAYER POLYMER CONCRETE OVERLAY EPOXY | PRO-POXY TYPE II DOT | UNITED BY DAYTON SUPERIOR STEVE HADSWORTH 930346-5983 WILLIAMS FORM ENG 800255-6590 | 06/10/10 | 1920 | Q | CONSTRUCTION MATERIAL CMO REQUIRED |
| 00556.10A | MULTI-LAYER POLYMER CONCRETE OVERLAY EPOXY | PRO-POXY TYPE II DOT LT | DAYTON SUPERIOR/UNITEX CLAY CHRISTENSEN 801871-3658 | 03/13/17 | 5017 | Q | FOR USE AT LOW TEMPERATURES FOLLOW MANUFACTURERS RECOMMENDATIONS TEST DECK 2017 CONSTRUCTION MATERIAL CMO REQUIRED |
| 00556.10A | MULTI-LAYER POLYMER CONCRETE OVERLAY EPOXY | SIKADUR 22 LO MOD FS (FAST SET) | SIKA CORPORATION 800933-7452 | 04/18/17 | 5051 | Q | FOR USE AT LOW TEMPERATURES FOLLOW MANUFACTURERS RECOMMENDATIONS TEST DECK 2017 CONSTRUCTION MATERIAL CMO REQUIRED |

*LIST "A" = APPROVED. MAY BE USED WITHOUT SAMPLES, TESTING, OR QUALITY COMPLIANCE CERTIFICATIONS. MAY NEED A FIELD INSPECTION REPORT.
*LIST "Q" = QUALIFIED. USE WITH SAMPLING, TESTING, & OR QUALITY COMPLIANCE CERTIFICATIONS AS NEEDED. NEEDS A FIELD INSPECTIONS REPORT. CHECK SPECS AND NPTMAG.
LIST PUBLISHED BY: ODOT MATERIALS LAB; 880 AIRPORT RD SE; SALEM, OR 97301-4796; (503) 956-3059. PLEASE REPORT ANY PROBLEMS USING THESE PRODUCTS.

Non-Field Tested Materials Guide

- C – Construction Materials Certificate of Materials Origin (C-CMO) Form 734-5378 - Build America Buy America (BABA) – Refer to 00160.20(d). Specification Sections that have been identified as containing Construction Materials that may require a C-CMO have been added throughout this guide. They can also be referenced on the Qualified Products List (QPL) at the following website:
<https://www.oregon.gov/odot/Construction/Pages/Qualified-Products.aspx>



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The updated Non field materials acceptance guide

Oregon Department of Transportation
Nonfield-Tested Materials Acceptance Guide
2021 Standard Specifications

| ACCEPTANCE DOCUMENTS | | | | | | | | | REMARKS |
|----------------------|--|-------------------------------|-------------|----------------------------|-------|---------------------|-----------------|---|---------|
| SECTION | TYPE OF CONSTRUCTION | MATERIALS | SUBSECTION | FURNISHED BY CONTRACTOR TO | | FURNISHED BY AGENCY | | | |
| | | | | LAB | ENGR. | MATERIALS LAB | FIELD PERSONNEL | | |
| 00445 (cont) | Sanitary, Storm, Culvert, Siphon, and Irrigation Pipe (continued) | Nonreinforced Concrete Pipe | 02410.10(f) | | | | F | ODOT approved manufacturers: - Oldcastle Infrastructure, Auburn, WA - Oldcastle Infrastructure, Eugene, OR - Oldcastle Infrastructure, Keizer, OR - Oldcastle Infrastructure, Nampa, ID - Cascade Concrete Products, Scappoose, OR If pipe is not from ODOT approved manufacturer, contact Structure Services (503-986-3056) for acceptance information 21 Days prior to pipe casting. Requires Structure Services inspection. "Q" is markings on pipe. "C" is for Construction Material CMO according to 00160.20(d) "F" must document manufacturer's name, size and ASTM designation. Must be from the QPL and meet the requirements of 02415.40. "Q" is markings on pipe. "C" is for Construction Material CMO according to 00160.20(d) "F" must document manufacturer's name, size and ASTM designation. | |
| | | Reinforced Concrete Pipe | 02430.10(g) | | O | | F | | |
| | | | | | | I | | | |
| | | Polypropylene Pipe | 02415.40 | | Q, C | | F, QPL | | |
| | | Polyvinyl Chloride Pipe (PVC) | 02415.50 | | Q, C | | F | | |

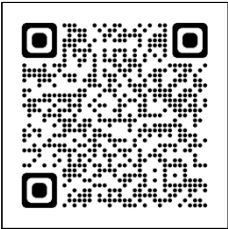


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QUIZ TIME!

BABA Material Classification Guide



Scan the QR code with your phone and open the classification guide!

https://www.oregon.gov/odot/Construction/Documents/BABA_Materials.pdf



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PPC Installation

0557-0102000K | FURNISH PREMIXED POLYMER CONCRETE

0557-0104000J | CONSTRUCT PPC OVERLAY



Polyester Resin



Manufactured Product



Materials processed into a specific form or shape, or combined with other materials to create a product with different properties.

00557.12.a.00 Polyester Resin Binder

| | | | |
|----------------|---------------------------|----|-------------------------|
| 00557.10.00.00 | Resin Primer, HMWM | MP | HMWM, manufactured |
| 00557.12.a.00 | Polyester Resin Binder | MP | Polyester, manufactured |
| 00557.12.d.00 | PPC Aggregate | | Exempt |
| 00557.12.e.00 | PPC Surface Texture Sand | | Exempt |
| 00557.16.00.00 | Premixed Polymer Concrete | | Exempt |

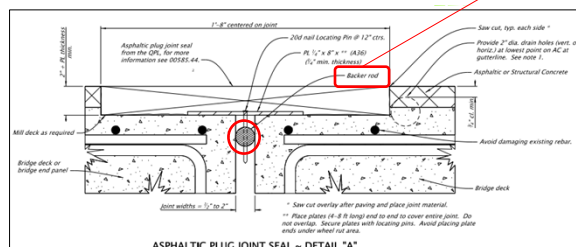


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Asphaltic Plug Joint

0585-0200100A | ASPHALTIC PLUG JOINT SEALS

Section 00585 Expansion Joints
Section 02440 Joint Materials



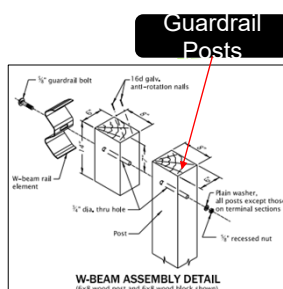
02440.14.00.0
0 Backer Rod



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Guardrail

0226-0108000F | TEMPORARY GUARDRAIL,
TYPE 2A REFLECTORIZED



**TEMPORARY -
NOT APPLICABLE**

00226.10.00.01
Temporary Guardrail Posts



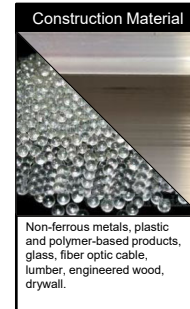
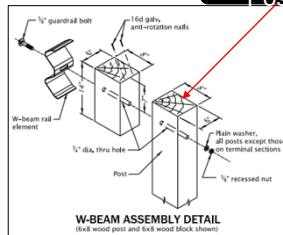
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Guardrail

0226-0108000F | TEMPORARY GUARDRAIL,
TYPE 2A REFLECTORIZED

0810-0104000F | GUARDRAIL, TYPE 2A

Guardrail
Posts



02110.10.b.00
Guardrail Posts, Wood



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Resources:

IIJA: <https://www.congress.gov/117/plaws/publ58/PLAW-117publ58.pdf>

BABA: IIJA Division G, Title IX, Sections 70901-70941

Office of Management and Budget Memo MB-22-11: <https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-11.pdf>

Contact Information:

General Information & Certificate of Material Origin (CMO) Forms:

Mike Dennee

Michael.J.Dennee@odot.oregon.gov

503-580-2013

Specifications:

Dan Anderson

Daniel.A.Anderson@odot.oregon.gov or ODOTSpecifications@odot.oregon.gov

503-986-3777

Qualified Products List (QPL)

Dean Chess

Dean.M.Chess@odot.oregon.gov

503-986-3059



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January 14, 2025: Date of Federal Register Publication.

March 17, 2025 (effective date): For all Federal-aid projects obligated on or after March 15, 2025, all iron or steel products, as defined in § 635.410(c)(1)(iii), must comply with FHWA’s Buy America requirements for steel and iron in § 635.410(b). In addition, for all Federal-aid projects obligated on or after March 15, 2025, per § 635.410(c)(2), articles, materials, and supplies should be classified as an iron or steel product, a manufactured product, or another product as specified by law or in 2 CFR part 184 (such other products specified by law or in 2 CFR part 184 include “excluded materials” and “construction materials”); an article, material, or supply must not be considered to fall into multiple categories.

October 1, 2025: The final assembly requirement will become effective for Federal-aid projects obligated on or after October 1, 2025. This means that, for manufactured product to be Buy America compliant, for Federal-aid projects obligated on or after October 1, 2025, final assembly of the manufactured product must occur in the United States.

October 1, 2026: The 55 percent requirement will become effective for Federal-aid projects obligated on or after October 1, 2026. This means that, for manufactured product to be Buy America-compliant, for Federal-aid projects obligated on or after October 1, 2026, all manufactured products permanently incorporated into the project must both be manufactured in the United States (satisfy the final assembly requirement) and have the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States be greater than 55 percent of the total cost of all components of the manufactured product (satisfy the 55 percent requirement).



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Questions?



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