



CDOT Approved Products List Suppliers and Qualified Manufacturers

RE: Buy America Requirements for Construction Materials - CDOT Federal-Aid Projects

November 10, 2022

To Whom it May Concern,

This letter is intended for all Suppliers and Manufacturers who supply products or materials to Colorado Department of Transportation (CDOT) Federal-Aid projects. With the passage of the Infrastructure Investment and Jobs Act ("IIJA"), [Pub. L. No. 117-58](#), which includes the Build America, Buy America Act ("the Act"). Pub. L. No. 117-58, §§ 70901-52 (published November 15, 2021): All manufacturing processes on eligible construction materials permanently incorporated into the work must have occurred in the United States. All manufacturing processes shall include at least the final manufacturing process and the immediately preceding manufacturing stage for the construction material.

Eligible construction materials are those that are or consist primarily of:

- Non-ferrous metals;
- Plastic and polymer-based products (including polyvinyl chloride [PVC]);
- Glass;
- Lumber; or
- Drywall.

Items that consist of two or more of the listed materials that have been combined together through a manufacturing process, and items that include at least one of the listed materials combined with a material that is not listed through a manufacturing process, should be treated as manufactured products, rather than as construction materials.

Per [FHWA's 1983 published general waiver for manufactured products](#), manufactured products not containing iron or steel are excluded from Buy America requirements. However, CDOT does require that manufactured products consisting of 90% or more of steel and/or iron by weight shall be Buy America compliant.

Raw materials such as cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives are excluded from Buy America requirements.

Before the permanent incorporation into the project for all eligible construction materials, the Contractor shall obtain a certification from each supplier. This certification must identify where the construction material was manufactured and attest specifically to Buy America compliance.

The Contractor shall maintain and submit on a monthly basis, CDOT Form #1600, Contractor's Certificate of Compliance summarizing the Item Description, CDOT Bid Item #, Manufacturer Name Identifier, Date and Quantity Received, Date and Quantity Installed, and Bid Item Unit of all eligible construction materials.



The COC does not relieve the Contractor of providing the necessary Buy America supplier certifications for any eligible construction material prior to permanent incorporation into the project. Upon request, the Contractor shall allow the State, FHWA, and their representatives access to the Buy America certifications they have received from the construction material suppliers. The lack of these certifications will be justification for rejection of the construction material.

Implementation of these additional Buy America requirements for Construction Materials will take effect on projects that CDOT will advertise for bid on or after November 10, 2022. CDOT is currently in the process of updating our Buy America specification (Section 106.11), and will issue this update as a Standard Special Provision when complete - Standard Special Provision - Revision of Sections 101 and 106 - Buy America Requirements which will be included on all projects subject to the new requirements. We are also preparing an update to the 2023 CDOT Field Materials Manual, Special Notice to Contractors, which will be issued via a CDOT Materials Bulletin upon completion. Once those documents are published, they will be posted to the CDOT Buy America webpage at the following link:
<https://www.codot.gov/business/designsupport/buy-america-requirements>

Please note that the new Buy America guidance for Construction Materials does not alter or change the current Buy America documentation requirements for iron and steel per CDOT Specifications Section 106.11.

Should you have any questions, please contact CDOT_BuyAmerica@state.co.us.

Respectfully Yours,

CDOT Pavement Design and Documentation Unit

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