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**Memorandum**

**Date**: January 8, 2024

**To**: All holders of Standard Special Provisions

**From**: Shawn Yu, Standards and Specifications Unit Manager

**Subject**: New standard special provision: Revision of Sections 101 and 106 –

Buy America and Build America, Buy America Requirements for Projects

Containing $500,000 or More in Federal-Aid Highway Funding

As of January 8, 2024, this unit has issued the new standard special provision, “Revision of Sections 101 and 106 – Buy America and Build America, Buy America Requirements for Projects Containing $500,000 or More in Federal-Aid Highway Funding”, with 9 pages, and dated January 8, 2024.

This standard special provision is to be used on all federal-aid highway (FHWA) funded (CDOT and Local Agency administered) Infrastructure projects that have a federal funding Construction Phase authorization date that has occurred on or after October 23, 2023, and that contain $500,000 or more in federal-aid highway funding. The $500,000 threshold is to be based on the aggregate (total amount) of federal aid funding used or to be used in all phases of the project including Construction and any preliminary engineering phases (e.g., Right-of-way, Utilities, Design, Environmental, or Miscellaneous). The federal funding authorization date may also be viewed in the Project Status Report (ZJ40 Report) from SAP under the FHWA Agreement Date column.

Please note, the October 23rd date is a federal compliance date. It is not tied to the project advertisement date, but rather is tied to the federal funding obligation date for the construction phase of the project.

This provision revised subsections 101.02 and 106.11.

The [Buy America Requirements](https://www.codot.gov/business/designsupport/buy-america-requirements) website.

For those of you who keep a book of Standard Special Provisions, please include this revised standard special provision. For your convenience, this specification and the latest SSP Index are attached in the email. You can also find these in our Construction Specifications web pages: [Standard Special Provisions](https://www.codot.gov/business/designsupport/cdot-construction-specifications/2023-construction-specifications/rev-ssp/rev-sec100-ssp) and the [Recently Issued Special Provisions](https://www.codot.gov/business/designsupport/cdot-construction-specifications/2023-construction-specifications/recently-issued-special-provisions).

If you have any questions or comments, please contact this office.