Notice

The Standard Special Provision (SSP) on the following page revises or modifies CDOT’s *Standard Specifications for Road and Bridge Construction*. The Construction Engineering Services Branch has reviewed, approved, and issued it. Use as written without change. Do not use modified versions of it on CDOT construction projects. Do not use the following special provision on CDOT projects in a manner other than specified in the instructions without approval by CDOT’s Standards and Specifications Unit. The instructions for use appear below.

Other agencies using the *Standard Specifications for Road and Bridge Construction* to administer construction projects may use this special provision appropriately and at their own risk.

**Instructions for use on CDOT (and local agency-administered) construction projects:**

Use this standard special provision 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 1, 2025, and that contain $500,000 or more in federal-aid highway funding. Design Project Managers should consult with their respective Region Business Office or HQ Business Office to determine the type and amount of federal-aid highway funding that has been or will be used in the projects. 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 for the construction phase may also be viewed in the Project Status Report (ZJ40 Report) from SAP under the FHWA Agreement Date column.

**Revision of Section 106**

 **Buy America (BA) and Build America Buy America (BABA) Requirements – Projects with more than $500,000 in Federal-Aid Highway Funding**

# Section 106 of the Standard Specifications shall be revised as follows:

# Delete Section 106.11(a) of the Standard Specifications and replace it with the following:

1. *Contractual Documents.* This specification shall be used in conjunction with the applicable version of the Special Notice to Contractors section of the CDOT Field Materials Manual (FMM), and the requirements therein, in effect at the time of bidding.

## Delete Section 106.11(d) of the Standard Specifications and replace it with the following:

1. *Manufactured Products.* Manufactured products used and permanently incorporated shall be produced in the United States. The manufactured product must meet the following:
	1. Buy America requirements apply to any steel or iron component of a manufactured product, regardless of the overall composition of the manufactured product.
	2. Final assembly of the manufactured product must have occurred in the United States.

Before the permanent incorporation into the project and before payment for all manufactured products, the Contractor shall obtain a certification from the Manufacturer of the product, who has performed the final assembly of the product, and submit it to the Project Engineer. The certification shall attest that any iron/steel utilized in the manufactured product is compliant with Buy America requirements, and that the final assembly of the product occurred in the United States.