



MATERIALS BULLETIN

Division of Project Support
Materials and Geotechnical Branch

CDOT's 2016 FMM
Special Notice to Contractors - 16a
2016 Number 1, Page 1 of 1
Date: April 7, 2016

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As a result of the December 22, 2015 U.S. District Court decision, the FHWA has withdrawn the December 12, 2012 memo that defined predominately steel and iron manufactured products as those that have more than 90 percent steel or iron and waived Buy America requirements for miscellaneous steel or iron components, subcomponents and hardware.

Until FHWA updates its regulatory policy, CDOT and local public agencies administering Federal-aid projects must use the attached Buy America requirements on all projects advertised on or after May 5, 2016.



Special Notice to
Contractors

These revisions do not impact Federal-aid construction projects that have been advertised before May 5, 2016.

Please remember that all Buy America Certifications must be dated prior to the delivery date and these certifications must be in the possession of the Project Engineer prior to installation / incorporation. Receiving the documentation after the steel or iron has been installed will not preclude its rejection; however, payment will be withheld until this certification is received by the Project Engineer. Section 4 of the Special Notice to Contractors details what is required and how to remain in compliance. This issue is considered of such importance to both CDOT and the FHWA that a Construction Bulletin (CB 2016-3) is being issued concurrently with this Materials Bulletin. In our attempt to ensure that all steel and iron products are accounted for through Buy America Certifications prior to any installation, a summary document is required for each month of the project. As the owner of your 2016 Field Materials Manual (FMM), please print these pages for replacement within your copy of the manual.

References:

All Materials Bulletins can be found here: [Materials Bulletins](#).