



*Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.  
SECRETARY

**MEMORANDUM**

**DATE:** October 25, 2023


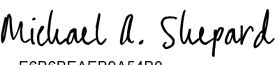
**TO:** Dan Hurtado, Chief Engineer

**FROM:** Tim Lattner, Director, Office of Construction  
Michael Shepard, Director, Office of Design  
Lance Grace, Director, Office of Maintenance

**COPIES:** Daniel Strickland, State Specifications Engineer

**SUBJECT:** Mandatory Specification Revision No. 3  
FY 2023-24 Workbook and eBook

I approve the implementation plan of the subject Specification.

Tim Lattner	<small>DocuSigned by:</small>  <small>C7704ED8972C440...</small>	10/25/2023   2:43 PM EDT
	Director, Office of Construction	Date
Michael Shepard	<small>DocuSigned by:</small>  <small>E6B6BEAEB9A54B0...</small>	10/25/2023   3:14 PM EDT
	Director, Office of Design	Date
Lance Grace	<small>DocuSigned by:</small>  <small>39C6390466ED45D...</small>	10/25/2023   1:22 PM EDT
	Director, Office of Maintenance	Date



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### MEMORANDUM

**DATE:** October 25, 2023

**TO:** District Specifications Engineers

**FROM:** Daniel Strickland, State Specifications Engineer

**CC:** Tim Lattner, Director, Office of Construction  
Michael Shepard, Director, Office of Design  
Lance Grace, Director, Office of Maintenance

**SUBJECT:** MANDATORY SPECIFICATIONS REVISIONS  
FY 2023-24 Workbook and eBook: Mandatory Revision No. 3

Mandatory Specification Revision No. 3 is issued to include Special Provision SP0060502 (shown in Attachment 'A') for lettings beginning January 1, 2024, and forward.

This memo is to inform offices that Source of Supply has been updated to comply with 2 CFR 184, Build America, Buy America Act (BABA), by listing affected products on the Department's Approved Product List (APL).

Revise specification packages as described below for the effective letting date as noted:

Specification Number	Heading	Revision Date	Effective Letting Date	Remarks
SP0060502	Control of Materials - Source of Supply- Department's Approved Product List (APL)	10-10-23	1-24	All Jobs

# **ATTACHMENT 'A'**

Usage Note: Implemented by Mandatory No. 3 Use on All Jobs January 1, 2024 and later

## **CONTROL OF MATERIALS - SOURCE OF SUPPLY - DEPARTMENT'S APPROVED PRODUCT LIST (APL).**

**(REV 10-10-23) (FA 10-18-23) (1-24)**

SUBARTICLE 6-5.2 is deleted and the following substituted:

**6-5.2 Source of Supply:** Comply with ~~Section 70914 of Public Law No. 117-58, §§ 70901-52, also known as the Infrastructure Investment and Jobs Act (IIJA), Public Law 117-58~~ CFR 184 and 2 CFR 200.322, which includes the Buy America Sourcing Preferences of the Build America, Buy America Act (BABA). Domestic compliance for all affected products will be listed on the APL. The list of affected articles, materials, and supplies that have been added to the APL and are not identified in each individual Section can be found at the following URL: <https://www.fdot.gov/programmanagement/ProductEvaluation/Default.shtm>.

**6-5.2.1 Steel and Iron:** Use steel and iron manufactured in the United States, in accordance with the Buy America provisions of 23 CFR 635.410, as amended. Ensure that all manufacturing processes for this material occur in the United States. As used in this specification, a manufacturing process is any process that modifies the chemical content, physical shape or size, or final finish of a product, beginning with the initial melting and continuing through the final shaping and coating. If a steel or iron product is taken outside the United States for any manufacturing process, it becomes foreign source material. When using steel or iron materials as a component of any manufactured product (e.g., concrete pipe, prestressed beams, corrugated steel pipe, etc.), these same provisions apply. Foreign steel and iron may be used when the total actual cost of such foreign materials does not exceed 0.1% of the total Contract amount or \$2,500, whichever is greater. These requirements are applicable to all steel and iron materials incorporated into the finished work but are not applicable to steel and iron items that the Contractor uses but does not incorporate into the finished work. Submit a certification from the manufacturer of steel or iron, or any product containing steel or iron, stating that all steel or iron furnished or incorporated into the furnished product was produced and manufactured in the United States or a statement that the product was produced within the United States except for minimal quantities of foreign steel and iron valued at \$ (actual cost). Submit each such certification to the Engineer prior to incorporating the material or product into the project. Prior to the use of foreign steel or iron materials on a project, submit invoices to document the actual cost of such material, and obtain the Engineer's written approval prior to incorporating the material into the project.

**6-5.2.2 Manufactured Products:** Use Manufactured Products that are consumed in, incorporated into, or affixed to an infrastructure project that are manufactured in the United States, in accordance with BABA requirements and applicable waivers.

**6-5.2.3 Construction Materials:** Use non-ferrous metals, plastic and polymer-based products, glass, lumber, and drywall articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project that are manufactured in the United States, in accordance with BABA requirements.

**6-5.2.4 Exemptions to Build America, Buy America:** Temporary devices, equipment, and other items removed at or before the completion of the project are exempt from BABA funding eligibility requirements. Aggregates, cementitious materials, and aggregate binding agents or additives are exempted from BABA funding eligibility requirements.