



Florida Department of Transportation

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ROADWAY DESIGN BULLETIN 05-08 (REVISED)

STRUCTURES TEMPORARY DESIGN BULLETIN C05-18 (REVISED)

DATE: December 21, 2005

TO: District Directors of Transportation Development, District Design Engineers, District Structures Engineers

FROM: David C. O'Hagan, P.E., State Roadway Design Engineer
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David Gibbs, FHWA Division Administrator

SUBJECT: Buy America Provisions

The Buy America provisions, established in CFR 635.410, requires that on all Federal-aid highway construction projects, if steel or iron materials are to be used, all manufacturing processes for these materials, including application of a coating, must occur in the United States. Buy America requirements are covered in FDOT Standard Specification Section 6-12.2. Section 6-12.2 identifies allowable levels of foreign steel or iron and contractor certification requirements.

While Section 6-12.2 applies to contractors, designers also have a responsibility to insure Buy America provisions are met. When Buy America provisions are not met, the entire project is not eligible for Federal funds. The design engineer of record needs to do sufficient research to determine that any steel or iron called for in the plans is manufactured in the United States. This is necessary when the plans include the following:

1. Non-standard or special grade steel components and shapes.
2. New proprietary products containing steel or iron materials.
3. Sole source products containing steel or iron materials.
4. Special machinery with steel or iron components.
5. Heavy sections of steel sheet pile wall.

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It is not necessary to conduct such research for the following:

1. Standard domestic steel beams and shapes of standard grades as shown on the National Steel Bridge Alliance (NSBA) website.
2. Standard concrete reinforcing steel sizes and grades.
3. Standard steel drainage pipe sizes and gages.
4. Items covered in the Design Standards including:
 - a. Standard mast arm assemblies.
 - b. Standard steel guardrail, posts, and end treatments.
 - c. Standard drainage grates.
 - d. Standard steel fences.
 - e. Standard steel sign supports and structures.

If it is determined that a steel or iron product being proposed is not manufactured in the United States, then the Designer shall determine if the estimated costs of such foreign steel or iron is within the thresholds stated in the specification. If the costs exceed such threshold, the Designer shall explore alternatives that utilize domestic steel or iron, or seek a waiver from FHWA. Generally it is preferred to select a different engineering solution utilizing domestic products.

Should a waiver become necessary, it must be obtained BEFORE the contract letting to insure federal funding is not jeopardized. Buy America waiver requests shall be submitted to the Central Office for concurrence by the Directors of Design and Construction. Requests will then be forwarded to the FHWA Florida Division Office for approval and coordinated with the FHWA headquarters in Washington DC for further concurrence. Originals will be returned to the District by the Central Office. Please identify these issues early in the plans preparation process.

The above requirements apply to all Federal Aid projects and are effective immediately. The Plans Preparation Manual will be updated to reflect these requirements in the next scheduled update, January 2007.