

New Jersey Department of Transportation
1035 Parkway Avenue, PO Box 600, Trenton, New Jersey 08625-0600



Baseline Document Change Announcement

ANNOUNCEMENT: BDC16S-05

DATE: November 04, 2016

SUBJECT: Certification for iron and steel
- Revision to Subpart 106.07.02 of the 2007 Standard Specifications for Road and Bridge Construction.

Based on direction from FHWA (pursuant to a decision by Judge Amit P. Mehta from the U.S. District Court for the District of Columbia on 12-22-15), until they update its regulatory policy on enforcement of the “Buy America” requirements, following has been deleted from Standard Input (SI2007).

106.07.02 B. Incidental Steel or Iron Components and Manufactured Products. Incidental steel and iron components such as lifting hooks, tie wire, chairs, nuts, bolts and screws are not required to be certified for compliance with Buy America requirements. For manufactured products that are not made predominantly of steel, the steel components are not required to be certified for compliance with Buy America requirements.

The following revisions has been incorporated into the Standard Input SI2007 as of November 04, 2016.

106.07.02 Certification for Iron and Steel

THE ENTIRE TEXT AS IT APPEARS IN THE SI IS CHANGED TO:

- A. Precast Concrete Steel and Concrete Pipe Certification of Compliance.** For precast concrete and concrete pipe items, a Buy America Compliance Plan is required to confirm that the material meets the Buy America requirements as specified in 106.03. The ME will periodically audit compliance with the program at the precast plant. If the precast concrete item is not inspected by ME, submit a Certification of Compliance for the precast concrete item as required in 106.07.01. When a Certification of Compliance is submitted, ensure that the Certification of Compliance contains a statement that the reinforcing steel used in the precast concrete item complies with the Buy America requirements as specified in 106.03
- B. Step Certification of Compliance.** For products that contain steel or iron components and are not covered in 106.07.02.A, step Certification of Compliance is required to confirm that the item meets the Buy America requirements as specified in 106.03. A step certification is a process under which each handler (e.g., supplier, fabricator, manufacturer, processor, coating facility) of the iron and steel components certifies that the steel and iron components were of domestic origin and that their step in the process was domestically performed.

Every step in the process from melting to coating must be performed in the United States in order for the steel or iron component to be considered domestic and must be documented by step certification. If a domestic source for a steel or iron component cannot be found, submit a request for waiver to the Department. Do not purchase non-domestic steel or iron components without the express written consent of the Department.

Ensure that 3 copies of the Contractor’s Certification of Compliance (Form DC-17) and the step Certifications of Compliance are provided for items containing steel or iron. Retain 1 copy and submit 2 copies to the RE. The Contractor may submit the DC-17 and the step certifications electronically in a scanned document.

Ensure that step Certifications of Compliance contain the following information:


1. Name of the Company supplying the material.
2. Name and location of the Company the material was shipped to.
3. Material description.
4. Quantity of material represented by the Certification.
5. Means of identifying the consignment, such as label marking or seal number.
6. Date and method of shipment.
7. A statement that the material conforms to the Contract material requirements and to the Buy America requirements in 106.03.
8. A statement that all steel or iron components in the material or assembly were "melted and manufactured in the US", unless there is non-domestic steel or iron in the material or assembly.
9. If there is non-domestic steel or iron in the assembly, describe in detail the non-domestic steel or iron material and the quantity. Attach a copy of the Department's approval for the use of non-domestic steel or iron components.
10. Signature of a person having legal authority to bind the supplier.
11. Typed or printed name of the person who signed the certification.

The Department will not make payment for work containing steel or iron materials until the RE has received the required DC-17 and step Certifications of Compliance, has inspected and accepted the material or assembly.

Implementation Code R (ROUTINE)

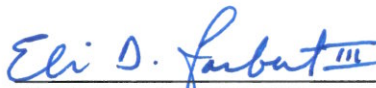
Changes must be implemented in all applicable Department projects scheduled for Final Design Submission at least one month after the date of the BDC announcement. This will allow designers to make necessary plan, specifications, and estimate/proposal changes without requiring the need for an addenda or postponement of advertisement or receipt of bids.

Recommended By:



Paul F. Schneider
Director
Capital Program Support

Approved By:



Eli D. Lambert III, P.E.
Assistant Commissioner
Capital Program Management