

Design Advisory

From Kristin Schuster, Engineer of Design

MDOT
Design Division
PO Box 30050
Lansing, MI 48909
Phone/517-373-0030
Fax/517-241-4619
www.Michigan.gov/MDOT

Index:

Special Provision policy
change - Road Design
Manual Section 11.06.01

*This advisory is
superseded by any
subsequent revisions to
the references listed in
this index.*

Questions regarding this
Design Advisory should be
directed to:

Dave Pawelec,
Specifications Engineer -
PawelecD@Michigan.gov

or

Mark Shulick, Quality
Assurance Section -
ShulickM@Michigan.gov

Build America, Buy America Act (BABA) Source of Steel or Iron (Buy America) (BA)

In collaboration with the Federal Highway Administration (FHWA), effective with the December 2023 lettings, Quality Assurance will be including updated versions of the Special Provision for Source of Steel or Iron (Buy America) and the Special Provision for Construction Materials in any MDOT-Let federal aid project (Trunkline and LAP) by blanket addenda. The Project Manager will need to ensure the latest Special Provision for Source of Steel or Iron (Buy America) and the Special Provision for Source of Construction Materials is included in all MDOT-Let federal aid project proposals for the January 2024 and later lettings.

These special provisions are a requirement based on the Infrastructure Investment and Jobs Act (IIJA). The act requires all federal aid projects to incorporate additional Buy America requirements for construction materials in addition to the previous Source of Steel or Iron (Buy America) requirements. The definition of predominately steel and/or iron has been updated in relation to manufactured products. The specific requirements can be found in the special provision.

Continued attention must be paid to ensure steel and iron materials and construction materials as listed in the special provision can be acquired. When a special provision requires the specific use of one of the specified construction materials, design staff should ensure at least one domestic source is verified, per subsection 11.01.02 of the Road Design Manual.

The updated special provisions can be found in the Special Provisions – Frequently Used (2020) MI-Login Database. Although FHWA, in certain circumstances, may issue waivers on various compliance measures, it is not anticipated to be a common practice for the new requirements. Any proposed request for a waiver on an MDOT project must be coordinated with the Design Division and Construction Field Services, during the development phase.

Note: The Special Provision for Source of Construction Materials does not replace the Special Provision for Source of Steel and Iron (Buy America). Both are required to be included in final Proposal submittals.