

1 Make the following amendment to said Section:

2
3 **SECTION 106 – MATERIAL RESTRICTIONS AND REQUIREMENTS**
4
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6 **(I)** Amend **106.05(B) – Deviation** by revising the third sentence from line 106
7 to 108 to read as follows:

8
9 “Any deviations will be subject to Subsection 102.14 – Substitution of
10 Materials and Equipment Before Bid Opening.
11

12 **(II)** Amend **Section 106 – Material Restrictions and Requirements** by
13 adding the following after line 334
14

15 **106.14 Construction Materials.**
16

17 **(A)** Buy America requirements apply to the following construction
18 materials if permanently incorporated into the project unless otherwise
19 specified:
20

- 21 **(1)** Non-ferrous metals.
- 22
- 23 **(2)** Plastic and polymer-based products such as:
 - 24 **(a)** High Density Polyethylene
 - 25
 - 26 **(b)** Polyvinylchloride.
 - 27
 - 28 **(c)** Composite building materials.
 - 29
 - 30 **(d)** Polymers used in fiber optic cables.
 - 31
- 32
- 33 **(3)** Glass (including optic glass).
- 34
- 35 **(4)** Fiber optic cable (including drop cable).
- 36
- 37 **(5)** Optical fiber.
- 38
- 39 **(6)** Lumber.
- 40
- 41 **(7)** Engineered wood.
- 42
- 43 **(8)** Drywall.
- 44
- 45 **(9)** Manufactured products containing steel and iron material
- 46

47 Where one or more of these construction materials have been
48 combined by a manufacturer with other materials through a manufacturing
49 process, Buy America requirements do not apply unless otherwise
50 specified. Furnish construction materials to be incorporated into the work
51 with certificates of compliance with each project delivery. Manufacturer's
52 certificate of compliance must identify where the construction material was
53 manufactured and attest specifically to Buy America compliance. All
54 manufacturing processes for these materials must occur in the United
55 States.

56
57 Non-ferrous metals, such as aluminum, copper, lead, nickel, tin,
58 titanium, zinc, brass, and bronze, are subject to Buy America
59 requirements if used as construction materials in various shapes, sizes,
60 and gauges including channels, bars, pipe, couplers, fittings, bolts, nuts,
61 and products made of 100 percent of the non-ferrous metal. If the non-
62 ferrous metal is combined with other construction materials during a
63 manufacturing process, the product is considered a manufactured product
64 and not subject to Buy America requirements.

65
66 One hundred percent plastic or polymer materials are subject to
67 Buy America requirements. This includes high-density polyethylene or
68 polyvinyl chloride pipe and fittings. Plastics or polymers that are combined
69 with other construction materials in a manufacturing process are
70 considered a manufactured product and not subject to these
71 requirements.

72
73 Glass construction materials subject to Buy America requirements
74 are composed solely of glass. This includes glass beads incorporated into
75 pavement striping and 100 percent Fiberglass material.

76
77 Fiber optic cable (including drop cable) and optical fiber are subject
78 to Buy America requirements.

79
80 Lumber products including engineered lumber are subject to Buy
81 America requirements.

82
83 Manufactured products containing steel or iron including pre-cast
84 concrete products are subject to Buy America requirements.

85
86
87
88
89 **END OF SECTION 106**