

American Recovery and Reinvestment Act (ARRA) Workshop



BUY AMERICAN STATE REVOLVING FUND

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Agenda



- **Buy American Section of ARRA**
- **Documenting Compliance**
 - Domestic Purchase of Goods
 - ✦ Substantial Transformation
 - Waivers
- **Roles and Responsibilities**
- **Common Questions**

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Buy American: Overview



**AMERICAN RECOVERY & REINVESTMENT ACT
(ARRA)**

ARRA Purpose



“Making supplemental appropriations for

- ✦ job preservation and creation,
- ✦ infrastructure investment,
- ✦ energy efficiency and science,
- ✦ assistance to the unemployed, and
- ✦ State and local fiscal stabilization,

for the fiscal year ending September 30, 2009,
and for other purposes.”

Buy American Requirement of ARRA



- Section 1605 (a) of ARRA
 - “No funds appropriated ... by this Act may be used for a project unless all of the iron, steel, and manufactured goods used in the project are produced in the United States”

Buy American Requirement of ARRA, cont.



- Section 1605 (b) allows section (a) to be waived if:
 - Its application would be inconsistent with public interest
 - Iron, steel, and the relevant manufactured goods are not produced in the U.S. in sufficient and reasonably available quantities and of a satisfactory quality
 - Inclusion of the goods produced in the U.S. will increase the cost of the overall project by more than 25%

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Buy American Requirement of ARRA, cont.



- Section 1605(c) provides:
 - If the head of a Federal department or agency determines it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the head...shall publish in the *Federal Register* a detailed written justification

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Iron, Steel, and Manufactured Goods



- **Manufactured Good**

- “A good brought to the construction site for incorporation into the building or work that has been processed into a specific form and shape; or combined with other raw material to create a material that has different properties than the properties of the individual raw materials.”
- Requirement is that the manufacturing occurs in the U.S.
 - ✦ There is no requirement with regard to the origin of components or subcomponents
 - ✦ There is no requirement that the company be US owned

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Iron, Steel, and Manufactured Goods



- **Steel**

- “An alloy that includes at least 50 percent iron, between 0.02 percent carbon, and may include other elements.”
- All manufacturing must take place in U.S.
 - ✦ Does not apply to iron and steel within a manufactured good
- When is a product iron/steel and when is it a manufactured good?
 - ✦ Iron/Steel - Products completely made of iron/steel
 - ✦ Manufactured goods - Products may contain iron/steel

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Responsibility for BA Compliance



- Who is ultimately responsible for the project's compliance with Buy American (BA)?
 - ✦ EPA
 - ✦ State
 - ✦ Water/wastewater system (funding recipient)
 - ✦ Consulting engineer
 - ✦ Contractor



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How Do I Comply with Buy American?



**AMERICAN RECOVERY & REINVESTMENT ACT
(ARRA)**

Compliance with Buy American



- Purchase iron, steel, and goods manufactured in U.S.
- Utilize national *de minimis* waiver
- Utilize national refinance or bid waiver
- Utilize/obtain project-specific waiver

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Documenting Purchase of Domestic Goods



**AMERICAN RECOVERY & REINVESTMENT ACT
(ARRA)**

Documentation - Domestic Goods



- **Documentation acknowledging BA requirement**
 - Prior to construction
 - Provisions in bid documents and contract documents

- **Documentation of compliance**
 - During and after construction
 - Supplier and/or manufacturer certifications
 - Other forms or documentation

- **Keep documentation in project file**

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Example BA Supplemental Conditions Requirement

XVI – Buy American Provisions

(Section 1605 of the American Recovery and Reinvestment Act of 2009 (PL 111-5))

1. Identification of American-made Iron, Steel, and Manufactured Goods: Consistent with the terms of the Purchaser's bid solicitation and the provisions of ARRA Section 1605, the Bidder certifies that this bid reflects the Bidder's best, good faith effort to identify domestic sources of iron, steel, and manufactured goods for every component contained in the bid solicitation where such American-made components are available on the schedule and consistent with the deadlines prescribed in or required by the bid solicitation.
2. Verification of U.S. Production: The Bidder certifies that all components contained in the bid solicitation that are American-made have been so identified, and if this bid is accepted, the Bidder agrees that it will provide reasonable, sufficient, and timely verification to the Purchaser of the U.S. production of each component so identified.
3. Documentation Regarding Non- American-made Iron, Steel, or Manufactured Goods: The Bidder certifies that for any component or components that are not American-made and are so identified in this bid, the Bidder has included in or attached to this bid one or both of the following, as applicable:
 - a. Identification of and citation to a categorical waiver published by the U.S. Environmental Protection Agency in the Federal Register that is applicable to such component or components, and an analysis that supports its applicability to the component or components;
 - b. Verifiable documentation sufficient to the Purchaser, as required in the bid solicitation or otherwise, that the Bidder has sought to secure American-made components but has determined that such components are not available on the schedule and consistent with the deadlines prescribed in the bid solicitation, with assurance adequate for the Bidder under the applicable conditions state in the bid solicitation or otherwise.
4. Information and Detailed Justification Regarding Non American-made Iron, Steel, or Manufactured Goods: The Bidder certifies that for any such component or components that are not so available, the Bidder had also provided in or attached to this bid information, including but not limited to the verifiable documentation and a full description of the bidder's efforts to secure any such American-made component or components, that the Bidder believes are sufficient to provide and as far as possible constitute the detailed justification required for a waiver under section 1605 with respect to such component or components. The Bidder further agrees that, if this bid is accepted, it will assist the Purchaser in amending, supplementing, or further supporting such information as required by the Purchaser to request and, as applicable, implement the terms of a waiver with respect to any such component or components.

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Documentation of US Manufacturing



- **Documentation types**
 - Letters or certifications from manufacturers
 - Bills of lading
 - Shipping manifest & invoices
 - Country-of-origin marking and labeling
 - Photographs
- **May need to be used in combination if any one form is not sufficient**

Manufacturer/Supplier Documentation



- **Broad statements are insufficient**
 - “We comply with the Buy American requirement”
 - “All products are American”
 - “This project meets Buy American”

**MANUFACTURER/SUPPLIER
CERTIFICATION OF COMPLIANCE
WITH
AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**

Project: _____ Location: _____

The manufacturer/supplier of this equipment is aware that the Owner has received Federal Funds for the Project under the American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) and said Act and published OMB Guidance (2 CFR Part 176, Appendix 9) contain the following requirements:

"None of the funds appropriated or otherwise made available by the Recovery Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless (1) the public building or public work is located in the United States; and (2) All of the iron, steel, and manufactured goods used in the project are produced or manufactured in the United States. (I) Production in the United States of the iron and steel used in the project requires that all manufacturing processes must take place in the United States, except metallurgical processes involving refinement of steel additives. These requirements do not apply to iron or steel used as components or subcomponents of manufactured goods used in the project. (II) There is no requirement with regard to the origin of the components or subcomponents in manufactured goods used in the project, as long as the manufacturing occurs in the United States."

This certification applies to the following specific equipment items to be incorporated into this project:

Manufacturer Name: _____

Equipment Description: _____

Equipment Model #: _____

Quantity: _____

Location of factory where this equipment will be manufactured: _____

The undersigned must be an officer of the company with full authority to provide this certification on behalf of the company. The undersigned hereby certifies that this equipment complies with all applicable provisions of the American Recovery and Reinvestment Act of 2009 and that the bid price supplied to the Contractor is based on full compliance with the Act.

Signature: _____ Company: _____

Name: _____ Address: _____

Title: _____

Date: _____ Phone: _____

E-mail: _____ Fax: _____

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Examples of Letters and Certifications



AMERICAN RECOVERY & REINVESTMENT ACT (ARRA)

Example for Discussion

- Certification is too vague
- No evidence provided beyond statement that company understands and is in compliance with BA
- Contains no contact information



To Whom It May Concern:

We certify that our products meet the Buy America Program.

Feel free to contact the nearest Big Sky Water Inc. office for more information.

Sincerely
Big Sky Water, Inc.

Example for Discussion

- Vague and misleading
- There is no entity that “certifies” Buy American compliance

Pipe and Pumps Inc.

To Whom It May Concern:

Thank you for your interest in Pipe and Pumps, Inc., We are certified “Buy American” compliant.

If you have any questions, please contact our corporate office at 555-345-6789.



Example for Discussion

- Written in future tense
- Recipient will have to specify domestic products
- Indicates likelihood that foreign products may have been or will be used

Big-Time Bolts Inc.
Detroit, MI

Dear Dan,

All material supplied on this project will be domestic. Please be sure to specify "Domestic" on all Purchase Orders.

Thank you for your support and if you have any questions or concerns please call me.

Sincerely
Jack B. Quick
Big Time Bolts, Inc.



Example for Discussion

- Percentage of American components is irrelevant for BA compliance
- ARRA provisions, unlike the Buy American Act, do not focus on percentage of American components

Buy American Certification

To Whom It May Concern:

Products supplied by Pumps and Motors, Inc. comply with Buy American. All products we manufacture are comprised of 85% American components.

Thank you for your use of our products, and if you have any questions, please contact our corporate office at 555-345-6789.



Action Electric - Invoice



Invoiced to:

Town of Whitehall
368 Main Street
Whitehall, USA

Remit to:

Action Electric
924 South Street
San Francisco, CA

Order

<u>No</u>	<u>Catalog Number</u>	<u>UPC</u>	<u>Quantity</u>	<u>Shipment Origin</u>
273	LHX 996 LPI	943758393209478	5	Salem, OR
273	IND 456 LPI	297586749893933	1	Salem, OR
273	CRT 491 HHS	948578695484930	2	San Francisco, CA

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Example for Discussion

- Company provides location of manufacture, which is the critical detail
- Statement of “full compliance” is helpful, but not critical
- Company is supplying pipe, so there should be no concerns about manufacture vs. assembly

Certificate of Compliance to Standards

DIP Inc. certifies that all Fabricated Ductile Iron Pipe it supplies is in full compliance with the Buy American provision of the American Recovery and Reinvestment Act of 2009.

All pipe supplied by DIP Inc. is manufactured at our only foundry in Savannah, Georgia, USA.

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To Whom It May Concern:

This letter serves to certify the origin of the electrical wire products purchased by WIRE Inc. These electrical wire products are wholly manufactured in the United States at one or more of our four plants listed below. These products qualify for NAFTA, the Buy American Act of 1933 as well as the American Recovery and Reinvestment Act of 2009. Feel free to contact me should you have any further questions or requests.

Manufacture Plants for Aforementioned Products:

WIRE Inc.-Building Wire
5730 Alpine Drive
Carrollton, GA 30119

WIRE North- Bare Copper
111 Lions Dr.
Detroit, MN 30677

WIRE South- MC Cable
3017 Wallabee Way
Mobile, AL 32993

WIRE West-Mineral Wells
2630 Swartenager Ln
Long Beach, CA, 90234

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Example for Discussion

•Company provides both the location of manufacture and specifies project by name

Dear Jim:

The pump you purchased on June 25, 2010, Model Number XJ6 99TR for the Main Street Pump Station project was manufactured at our plant in Newark, NJ.

Thank you for your business
Pumps R Us

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When to Dig Deeper



- **When might a manufacturer's statement, even if specific, seem inadequate?**
 - Lack of detail
 - Product with complicated manufacturing processes
 - ✦ Pumps, SCADA, & control valves
 - Specialty products
 - Known foreign manufacture
 - ✦ Membrane cassettes

Due Diligence



- **Regardless of the documentation received:**
 - The recipient (and their consultant and contractor) must conduct rigorous due diligence
 - ✦ Investigate questionable statements - especially broad certifications
 - ✦ Document file showing details of due diligence
- **Unclear documentation**
 - Follow up further
 - May require completion of substantial transformation matrix
 - ✦ Also provide accompanying documentation

What Is Substantial Transformation?



AMERICAN RECOVERY & REINVESTMENT ACT (ARRA)

Substantial Transformation



- For cases in which there is doubt that a product is U.S.-manufactured, EPA issued guidance
 - Introduced the concept of substantial transformation

Substantial Transformation



- **Manufacture versus Assembly**
 - Minimal or simple assembly operations are not considered to be substantial transformation
 - ✦ Combining, repacking, resurfacing
 - ✦ Cosmetic or surface changes (painting, lacquering, cleaning)
 - ✦ Cutting a material to length or width
 - ✦ All pieces are shipped by one company with intent to provide all components needed to be assembled into a functional good (e.g., pump station)

Substantial Transformation



- **Determined on a case-by-case basis**
 - System makes the determination
 - ✦ Obtain information about the processes used
 - EPA will not make determinations, but may undertake informal “anticipatory” oversight

Evaluation Matrix/Questions



1. Were all of the components of the manufactured good manufactured in the United States, and were all of the components assembled into the final product in the U.S.?
 - If the answer is yes, then this is clearly manufactured in the U.S., and the inquiry is complete
2. Was there a change in character or use of the good or the components in America?
 - Finished good, not each individual component
3. Was(were) the process(es) performed in the U.S. complex and meaningful?

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Substantial Transformation Question #2



- Change in character or use
 - Was there a change in the physical and/or chemical properties or characteristics designed to alter the functionality of the good?
 - Did the manufacturing or processing operation result in a change of a product(s) with one use into a product with a different use?
 - Did the manufacturing or processing operation result in the narrowing of the range of possible uses of a multi-use product?

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Substantial Transformation Question #3



- **Complex and meaningful processes**
 - Did the process(es) take a substantial amount of time?
 - Was(were) the process(es) costly?
 - Did the process(es) require particular high level skills?
 - Did the process(es) require a number of different operations?
 - Was substantial value added in the process(es)?

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Substantial Transformation Evaluation



- **When evaluation is required**
 - Checking boxes alone is not adequate
 - Manufacturer should document “yes” responses with meaningful, informative, and specific technical descriptions of activities in the processes addressed

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Substantial Transformation Example



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Substantial Transformation Example



- A manufacturer of a SCADA system states that their product, while undergoing many of its manufacturing processes in Mexico, undergoes substantial transformation at their facility in Big City, TX
- The system is designed in Big City, and some of the critical parts (approximately 40% of the components) are made in Small Town, TX
- Much of the manufacture takes place at a facility in Mexico, and the product is shipped to Big City for final manufacture, assembly and testing.

Example Substantial Transformation Checklist



		<u>Yes</u>	<u>No</u>
1	All components domestic		x
Change in character or use			
2	a) Physical and/or chemical properties		x
	b) Change from one use to another		x
	c) Narrow range of possible uses	x	
Complex and meaningful			
3	a) Substantial time		x
	b) Costly	x	
	c) High level skill	x	
	d) Multiple operations	x	
	e) Added value	x	

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Example ST Background Doc.



- Question #1 – all components domestic?
 - No
 - 40% of the components used in our SCADA system are manufactured in the U.S.

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Example ST Background Doc., cont'd



- **Question #2 – change in use?**
 - Yes response to one of three
 - The product shipped from the facility in Mexico is generic in nature and unready for use
 - ✦ Although the structure is complete, the processors must be installed and the unit must be customized for installation
 - ✦ Processes in Big City narrow the range of uses to a specific site (in this case a water system pump station)

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Example ST Background Doc., cont'd



- **Question #3 – complex and meaningful?**
 - Yes response to 4 of 5
 - Processes that take place in Big City account for approximately 45% of the total cost of the system
 - Employees at this facility are highly skilled and required to install the computer processors, assemble the unit, and program for its ultimate use
 - These processes more than double the value of the unit compared to its value at the Mexico facility
 - This facility currently employs 25 full time staff for final manufacture, assembly, programming, and testing of SCADA systems

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Photos of Manufacturing Facility in Big City, Texas



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No Substantial Transformation



- If the answer to the “substantial transformation” question is “no” or “unknown”
 - Switch to a domestic alternative
 - First line of compliance
- If no domestic alternative is available
 - Request a project-specific waiver

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Waivers



AMERICAN RECOVERY & REINVESTMENT ACT (ARRA)

Buy American Waivers



- ARRA allows Buy American requirement to be waived for any of three reasons
 - Iron, steel, and the manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality, or
 - Inclusion of goods produced in the U.S. will increase the cost of the overall project by more than 25 percent, or
 - Its application would be inconsistent with the public interest

National Waivers



- EPA has issued three national waivers
 - All were based on public interest
 - *De minimis*
 - ✦ Incidental components
 - ✦ No more than five percent of the total cost of materials used in a project
 - Refinanced projects and projects with solicited bids
 - ✦ Projects in anticipation of ARRA (shovel-ready)
 - ✦ After October 1, 2008 and before February 17, 2009

Incidental



- What is the definition of “incidental” as it applies to the *de minimis* waiver?
 - Miscellaneous character
 - Low cost (individually and in total)
 - Typically procured in bulk
 - *De minimis* should not be used for a single or very small number of large items that are 3-4% of the total material cost because these cannot be considered “incidental”

Possible Incidental Items



- **Examples in waiver text**
 - Nuts, bolts, other fasteners, gaskets, tubing
- **Other possible examples**
 - Water or Sewer Main
 - ✦ Valve risers, meter boxes, curb stop boxes, manhole riser, some valves, erosion control
 - Treatment Plant
 - ✦ Electrical components, duct work, piping and fittings, handrails, sheetrock, insulation, anchor bolts, concrete forms, piping, fencing, erosion control
 - Pump Station
 - ✦ Conduit, electrical components, ladder, vault lid/hatch, fencing
- **Will vary by project**

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Project-Specific Waivers



- **Availability Waivers**
 - Quality
 - ✦ No domestic manufacturer can meet project design and/or specification requirements
 - Quantity
 - ✦ Made in U.S., but not available when or in the quantity needed
- **Cost waivers**
 - Increase total project cost >25%
 - None issued to date
- **Public interest waivers**
 - Very few issued

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Waiver Submittals



- **Assistance recipient requests waiver**
 - Send request and documentation to EPA Region
 - E-mail: region4waiver@epa.gov
- **EPA Region reviews and approves or denies**
 - Published in *Federal Register*
 - Posted on EPA's Recovery Website
- **Waivers can still be submitted**
 - Quantity waivers are likely as the construction season progresses
 - Waivers may be requested for items not in specification

Bid and Refinance Waivers - Documentation



- **State may have provided documentation that use of waiver was appropriate for project**
- **Keep documentation of waiver in project file**
- **No further documentation of compliance is needed**
 - Project-specific waivers are not needed for foreign goods

Using the *De Minimis* Waiver



- **Decision making**
 - System's decision – work with contractor and consultant
- **Watch your incidental percentage early on**
 - Don't "use up" your 5 percent too soon
- **Avoid utilizing the full 5 percent if possible**
 - Leave room for unforeseen issues late in project
- **If you have documentation that an incidental product is domestic – it can be counted in domestic materials**

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Using the *De Minimis* Waiver, cont.



- **Retain documentation**
- **Waiver requirement:**
 - Summarize in report to State:
 - ✦ Types and/or categories of items
 - ✦ Total cost of incidental components
 - ✦ Total cost of all materials
 - ✦ Calculation by which compliance was determined
 - State may require report to be sent or just for system to have documentation available

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De Minimis Waiver - Documentation



- **Two critical criteria**
 - Incidental items
 - No more than 5% of total material cost
- **Keep documentation in project file**
 - List items claimed under waiver
 - ✦ Confirm incidental
 - Cost information
 - ✦ Total of material purchased for project
 - ✦ Total of *de minimis* items

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Sample De Minimis Tracking

Products		Cost
<u>Foreign Products</u>		
Ultrafiltration Membranes		\$200,000
<u>Domestic Products</u>		
Pump		\$20,000
SCADA		\$40,000
Pre-fab Treatment Building		\$60,000
Water Mains		\$10,000
Control Valves		\$15,000
<u>Incidental Items</u>		
Gaskets, nuts, bolts	Estimate	\$2,000
Fittings and piping	Invoices	\$6,000
Electrical appurtenances	Estimate	\$4,000
Total Materials		\$357,000
Total Incidental		<u>\$12,000</u>
% Incidental		3.36%

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De Minimis Waiver: Common Questions



- Does the waiver apply to the project as a whole, or each contract and subcontract?
 - Applies to the project as a whole
 - Some subcontracts may have more incidental items
- Does the total materials cost include raw materials that are not subject to Buy American?
 - All materials are included in the “total material costs”
 - Concrete, asphalt, and lumber are all included in the denominator of the calculation

Project-Specific Waivers - Documentation



- Keep documentation of waiver in project file
 - *Federal Register* notice
 - Background information submitted in support of the waiver
 - Any relevant communications

Roles and Responsibilities



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Role of Engineers and Contractors



- **Help system ensure compliance**
 - Role should be defined by contracts
 - ✦ Contracts may need to be amended
 - Collect documentation from manufacturers regarding products used in design and construction
 - Exercise due diligence to ensure that Buy American requirements are met

System's Role



- **Primary authority and responsibility for implementing Buy American**
 - Request project-specific waiver if necessary
 - Require documentation
 - ✦ In bid documents and contracts
 - ✦ Contractors' evidence of manufacture in the U.S.
 - Perform due diligence to verify documentary evidence
 - Make substantial transformation determination
 - Maintain files of the documentation

State and EPA Role



- **Effectively manage ARRA funds**
- **Provide training and guidance to systems**
- **Help systems get necessary information and answers to questions**
- **Grant waivers**
- **Oversee and verify system compliance with Buy American**

Audits and Site Inspections



- Many entities may schedule an audit and/or random visit to the job site
 - ✦ Assistance Recipient
 - ✦ State
 - ✦ EPA Region and/or Headquarters
 - ✦ EPA Office of Inspector General (OIG)
 - ✦ Government Accounting Office (GAO)
- Checking material used and documentation of compliance

On-Site Inspections



- Inspection of records
- Visual inspection of a selection of products
- Check materials at job site and documentation of origin
- Note any BA compliance issues/concerns (and corresponding resolutions, if applicable)

Common Questions



AMERICAN RECOVERY & REINVESTMENT ACT (ARRA)

Which “Buy American”?



- **The manufacturer states that it is compliant with the Buy American Act. Is that adequate documentation?**
 - Buy American requirement of ARRA versus Buy American Act
 - ✖ ARRA requirement
 - Manufactured in U.S.
 - Components can be foreign
 - ✖ Buy American Act
 - Focused on % American components



Trade Agreements



- **Is my project affected by Trade Agreements?**
 - Not likely
 - ✦ ARRA requires Buy American requirements to be applied consistent with U.S. obligations under international agreements
 - ✦ Limited applicability to SRF Programs
 - ✦ Cities party to U.S. EC Exchange of Letters
 - Boston, Chicago, Dallas, Detroit, Indianapolis, Nashville, San Antonio
 - ✦ Only impacts projects over \$7.4M



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Canadian Trade Agreement



- **I understand that there was a recent decision regarding a Canadian trade agreement – will that decision apply to my project?**
 - Not this project, but possibly future projects
 - If Congress passes another stimulus bill, Buy American requirements may be affected by this trade agreement
 - Impacts projects larger than \$7.4M



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Foreign “Assembly”



- If a product is comprised of all U.S.-produced materials, but those materials are assembled in Canada or Mexico, does that product comply with Buy American?
 - It depends on the nature of the work in the U.S. and the work in Canada
 - If it was manufactured in the U.S. and assembled outside the U.S., it is considered a domestic product
 - Where did “substantial transformation” take place?



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Recordkeeping



- What records must the system keep regarding Buy American compliance, and how long must these records be retained?
 - Systems should retain bid documents, contracts, Buy American certification, and records of due diligence
 - If a project-specific waiver approved – keep copy of FR notice
 - Required period for recordkeeping is not specified



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Split Funding



- My project is only partly funded through ARRA; if I need a foreign product, can I fund it through my other sources?
 - The Buy American requirement applies to the “project” as a whole
 - If there are ARRA funds contributing to a project, the entire project must comply



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Waivers After the Fact



- What if I realize after a product has been installed that I am unsure of its origin?
 - Contact your State
 - Corrective action decided on a case-by-case basis



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OIG Audits



- What if an OIG audit finds that equipment used in the project does not comply with Buy American?
 - Does the contractor's or manufacturer's certification absolve the system from blame? No
 - Does the State bear any responsibility? No
 - What will the penalty be?
 - ✦ Variety of possible outcomes
 - ✦ OMB guidance
 - ✦ Intent is part of consideration regarding fraud



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Additional Resources



**AMERICAN RECOVERY & REINVESTMENT ACT
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Reference Links



- U.S. EPA Memo: Implementation of Buy American provisions of P.L. 111-5, the “American Recovery and Reinvestment Act of 2009;” from James A. Hanlon and Cynthia Dougherty; April 28, 2009
- EPA SRF Webcast Training Series, especially June 22 webcast by EPA on Buy American
 - <http://www.epa.gov/water/eparecovery/index.html#NationalWaivers> has links to all EPA documents on waivers
- October 22, 2009 Substantial Transformation EPA Guidance (New Link)
 - http://www.epa.gov/water/eparecovery/docs/10_23_09_Substantial_Transformation_memo_Final.pdf
- November 16, 2009 – EPA Buy American Questions and Answers – Part 2 (Substantial Transformation) (New Link)
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Questions?



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