

**DNREC Division of Fish & Wildlife
Ted Harvey Conservation Area Viewing Platforms
Contract No. NAT26002-THWILDVIEW**

BUILD AMERICA, BUY AMERICA REQUIREMENT

The Build America, Buy America Act (BABA), section 70914 of Public Law No. 117-58, §§ 70901-52, also known as the Infrastructure Investment and Jobs Act, enacted as part of the Bipartisan Infrastructure Law (BIL) requires iron, steel, manufactured products, and construction materials used in infrastructure projects funded by Federal financial assistance to be produced in the United States.

In accordance with BABA, the following mandatory conditions must be met:

- All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
- All manufactured products used in the project are produced in the United States. This means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.
- All construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States. Construction materials which are exempt from BABA requirements include cement and cementitious materials and aggregates such as stone, sand, or gravel.

By signing below, I/we certify that: “All materials that will be permanently incorporated into this project will meet the Build America, Buy America material requirements. At the Delaware Department of Natural Resources and Environmental Control's (Department) request, I/we will provide manufacturer's and/or supplier's documentation verifying the above mandatory conditions. All materials accepted on the basis of such a Certificate of Compliance may be sampled by the Department and tested at any time. Use of material on the basis of a Certificate of Compliance shall not relieve the contractor of responsibility for incorporating material in the project conforming to the requirements of the contract. Any material not conforming to such requirements will be subject to rejection whether in place or not. The Department reserves the right to refuse to permit the use of material on the basis of a Certificate of Compliance.”

Bidder Acknowledgment Signature: _____

Print Name: _____

Title or Authority: _____ Date: _____