



STATE OF DELAWARE  
DEPARTMENT OF TRANSPORTATION  
800 BAY ROAD  
P.O. BOX 778  
DOVER, DELAWARE 19903

NICOLE MAJESKI  
SECRETARY

# BUY AMERICA CERTIFICATION

**Project Number**

**Project Description**

**Company Name**

We hereby certify that the steel, iron, manufactured products, and construction materials used in association with the Project were produced in the United States in accordance with all the requirements and provisions of Buy America and the Build America, Buy American Act (BABA) including, but not limited to, 23 USC §313, 49 USC §5323, 23 CFR §635.410, and 49 CFR §661 and any revisions as per the Infrastructure Investment and Jobs Act (H.R. 3684) unless allowable exemptions are noted below pursuant to United States Code (USC) Title 23 Part 313, Title 49 Part 5323(j)(2), as amended, and the applicable regulations in Code of Federal Regulations (CFR) Title 49 Part 661.

- Federal Waiver(s) Granted or in place (reference applicable waiver(s) below)
  
- Domestic material will increase cost of the project (i.e., eligible/reimbursable utility work) by more than 25% (estimates needed as backup)
  - Overall Cost of Utility Work with Domestic Materials:
  
  - Overall Cost of Utility Work with Non-Domestic Materials:
  
  - Percent Difference (*please use % sign*):

- Non-domestic materials are less than 0.10% of the contract value (i.e., cost of eligible/reimbursable utility work) or \$2,500 minimum, whichever is greater (estimates needed as backup)
  - Total Cost of Eligible/Reimbursable Utility Work:
  - Cost of Non-Domestic Materials (as delivered to site):
  - Percentage (*please use % sign*):

A list of materials and products utilized for permanent work associated with the Project is attached. The list indicates which items comply with the requirements and provisions of Buy America and BABA.

It is understood that we are required to retain material certifications and related documentation proving Buy America and BABA compliance. It is further understood that the State reserves the right to perform audits of our records to further ensure Buy America and BABA provisions were met during and following completion of the Project. If we are unable to provide required justification, documentation, and certifications or if it is determined that we utilized items that do not comply with Buy America and BABA requirements, then we shall replace non-compliant products with compliant products at our sole cost. It is acknowledged that the State may take additional measures as necessary to ensure Buy America and BABA compliance. The measures may include withholding reimbursement; seeking monetary compensation; holding utility permits for any active or proposed work; or as otherwise outlined in the DelDOT Utilities Manual Regulation (2401 of DE Administrative Code).

X

\_\_\_\_\_  
Signature of Authorized Representative

X

\_\_\_\_\_  
Printed Name

X

\_\_\_\_\_  
Date (xx/xx/xxxx)