STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION

**CERTIFICATE OF COMPLIANCE**

 **FOR**

 **BUY AMERICA ACT, BUILD AMERICA, BUY AMERICA ACT AND NATIONAL DEFENSE AUTHORIZATION ACT REQUIREMENTS**

UTILITY CONSTRUCTION ESTIMATE

Project No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ City/Town: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Buy America Act** **(BAA)**: The BAA requires that all permanently incorporated steel and iron used in the construction of the Project must have been produced and fabricated in the United States. It is the intent of this specification to require that all manufacturing processes for all steel and iron materials and products to be use for the Project, including the coating of steel and iron, occur within the United States.

(1) The UTILITY shall comply with the “BUY AMERICA” requirement set forth in 23 USC § 313 and 23 CFR § 635.410, as amended from time to time;

(2) The UTILITY shall furnish predominately steel and iron manufactured products for the Project that are made in the United States according to the applicable provisions of 23 CFR § 635.410. “UNITED STATES” means the United States of America and includes all territory, continental and insular, subject to jurisdiction of the United States.All predominately steel or iron manufactured products incorporated permanently into the Utility’s installations and adjustments for the Project must be made of steel or iron produced in the United States and all subsequent manufacturing processes of such products including the application of coatings shall be performed in the United States. Manufacturing is any process that modifies the chemical content; physical shape or size; or final finish of a product. Manufacturing begins with the initial melting and mixing, and continues through the bending and coating stages. If a domestic product is taken out of the United States for any process, it becomes a foreign source material and is not compliant with the “BUY AMERICA” requirement;

(3)The UTILITY shall promptly furnish documentation showing the domestic origin of all predominately steel and iron manufactured products before they are incorporated into the Utility’s installations and adjustments for the Project upon request from the Department, and/or a duly authorized State/Federal representative.

**Build America, Buy America Act (BABA):** BABA does not supersede BAA with regard to the iron and steel requirement, however it expands the requirements to include manufactured products and construction materials. Such products and materials incorporated into projects “must be produced in the United States.” BABA requires that all construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States. BABA also clarifies that (A) the term ‘‘construction materials’’ shall not include cement and cementitious materials and aggregates such as stone, sand, or gravel; and (B) shall not include cement and cementitious materials and aggregates such as stone, sand, or gravel as inputs of the construction material.

**National Defense Authorization Act (NDAA):** In accordance with the FY 2019 (NDAA), 2 CFR 200.216, and 2 CFR 200.471, Federal agencies are prohibited from obligating or expending financial assistance for projects that install or use telecommunications and video surveillance services and equipment from the following companies:

* Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities)
* Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities)

 As a result of this prohibition, utility companies are prohibited from providing such telecommunication or video surveillance equipment, services, or systems on Department projects.

This prohibition is not limited to those utilities that directly use equipment, systems, or services provided by those companies, it also prohibits the indirect use of any equipment, systems or services manufactured or provided by others for which such equipment or services act as a substantial component, or as critical technology as part of the system(s). By signing this Certification, the UTILITY certifies that it will not provide, nor does it directly or indirectly use covered telecommunications equipment or video surveillance services or equipment from the entities above.

I hereby certify to the best of my knowledge and belief that all the materials in the Utility Construction Estimate **COMPLIES** with the Buy America Act, Build America, Buy America Act and National Defense Authorization Act requirements.

**AUTHORIZED UTILITY REPRESENTATIVE:**

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Signature Title

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Print Name UTILITY NAME

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Date

 Revised Date: 11/9/22