



Bridge Contractors / Caltrans Liaison Meeting

District 11



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September 22nd 2023

Materials Engineering and Testing Services



Agenda

- Build America, Buy America (BABA)
- Environmental Product Declarations (EPDs)





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Topic 1

Build America, Buy America - BABA (CPD 22-13)



CPD 22-13 BABA History



Nov 15th, 2021

Infrastructure Investment and Jobs Act (IIJA)

Build America, Buy America Act (BABA)

Dec 13th, 2022

CPD 22-13 Buy America

Guidance on expanded Buy America requirements

Jun 28th, 2021

Caltrans DD-119

NEPA projects subject to Buy America **regardless of funding**

Nov 10th, 2022

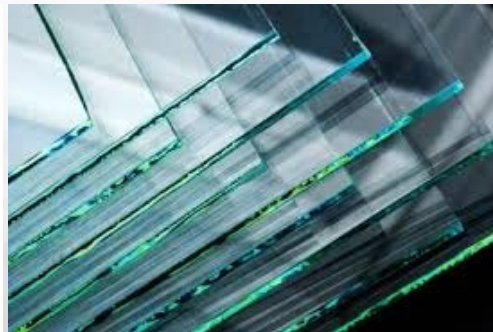
BABA Implementation Date

Std. Spec. Section 6-1.04 "Buy America" revised to **SSP Section 6-1.04 "Buy America"**



Applicable Materials

- Steel or Iron Materials **NO CHANGES**
- Manufactured products containing steel or iron **CHANGED**
- Additional Construction Materials **CHANGED**
 - Nonferrous metals
 - Plastic/polymer-based
 - Glass
 - Lumber
 - Drywall

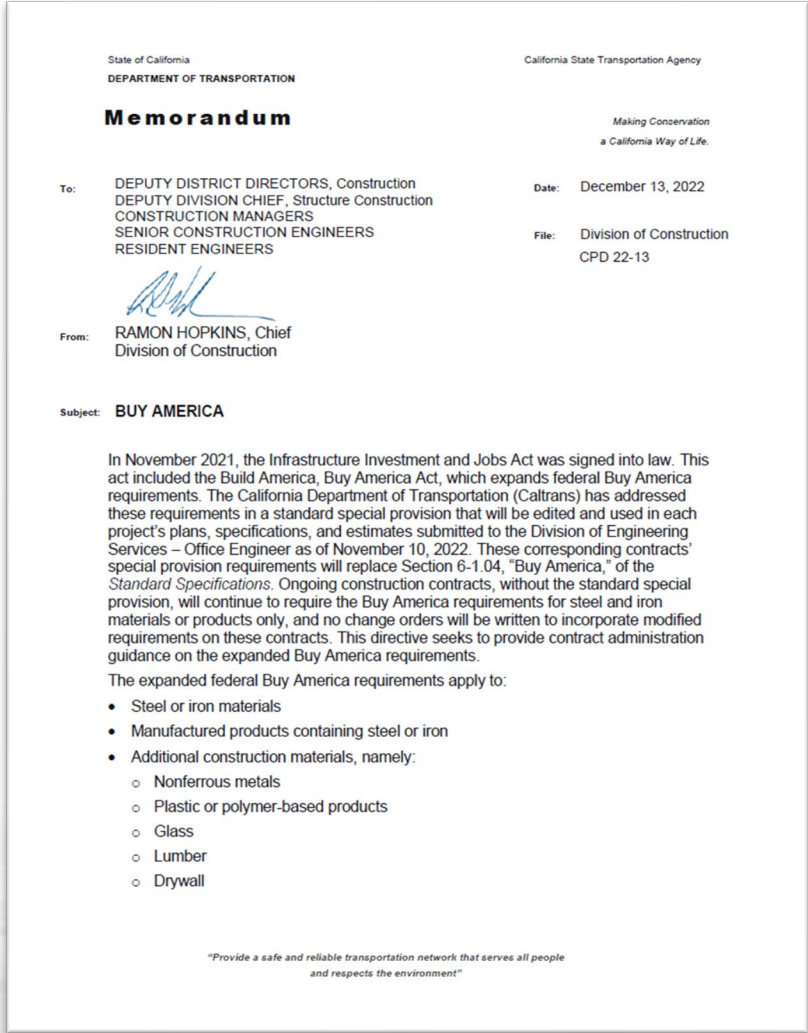




CPD 22-13



| Manufactured Products Containing Steel or Iron | Additional Construction Materials |
|--|---|
| <ul style="list-style-type: none"> Precast products – 100% subject to Buy America All other manufactured products – 90% subject to Buy America | <ul style="list-style-type: none"> All materials – 100% subject to Buy America |
| <ul style="list-style-type: none"> Must be melted/manufactured in the United States | <ul style="list-style-type: none"> Must be manufactured in the United States |
| <ul style="list-style-type: none"> Minimal use threshold – 0.1% of total bid or \$2,500 (whichever is greater) unchanged | <ul style="list-style-type: none"> No minimal use threshold |
| <ul style="list-style-type: none"> COC from manufacturer or producer | <ul style="list-style-type: none"> COC with attestation statement of manufacturing process |



Additional Construction Materials



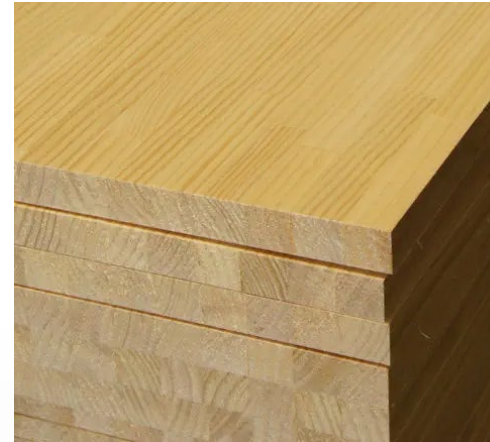
Glass Pane

**Subject to
Buy America**



**Glass Pane within
Aluminum Frame**

**Exempt from
Buy America**



Solid Wood Board

**Subject to
Buy America**



**Engineered Wood
Product - Plywood**

**Exempt from
Buy America**

Buy America does not apply:

- Temporary work
- Tools or construction equipment
- Existing project materials or products that are modified or moved to another location on the same project

Authorized Material Lists (AMLs)

- In-Progress

Challenges with domestic sources

- What to do?

Waiver Requests

- Strongly discouraged



Ensuring Success

- Discuss Buy America requirements at the Preconstruction Conference
- CEM-3101 “Notice of Materials to be Used”
- Share information with subcontractors
- Reduce impact on project delivery
- A minimum of one, more likely two, iterations of Buy America requirements over the next 2 to 18 months.





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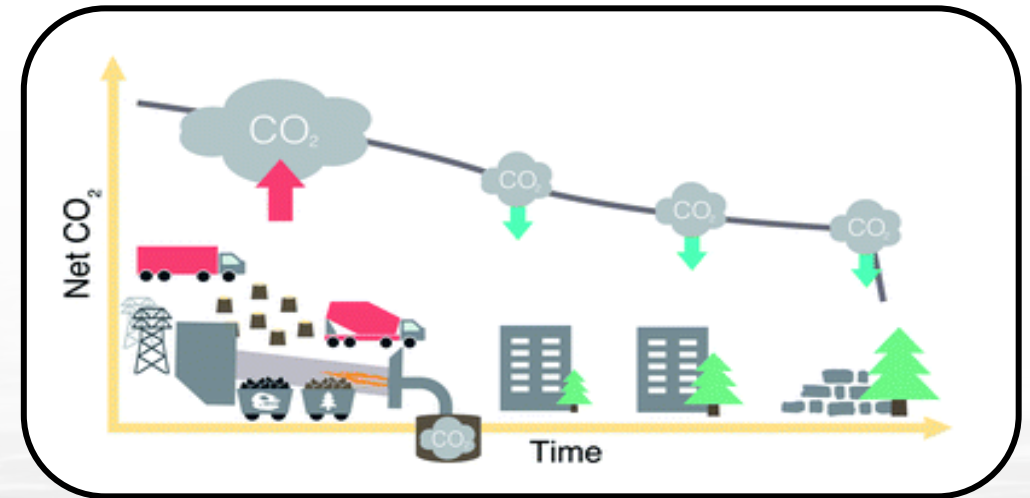
Topic 2

Environmental Product Declarations (EPDs)

- **Buy Clean California Act (AB-262)**
 - Signed into law: October, 2017
 - Took effect: July, 2019
 - Establishes the maximum acceptable GWP based on industry average of facility-specific GWP emissions for a given material
 - Requires EPD submittals for applicable materials



Buy Clean California Act



FHWA Every Day Counts (EDC) – 7

*“The **Every Day Counts (EDC)** program administers strategic innovation deployment throughout the country. FHWA works with stakeholders to identify a new collection of proven yet underutilized innovations every two years.”*

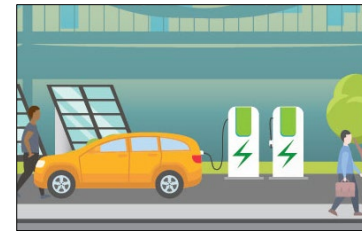
2023-2024 Innovative Technologies:



Nighttime Visibility for Safety



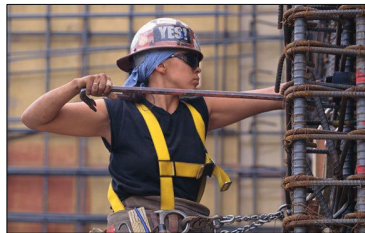
Next-Generation TIM: Technology for Saving Lives



Integrating GHG Assessment and Reduction Targets in Transportation Planning



Enhancing Performance with Internally Cured Concrete (EPIC²)



Strategic Workforce Development



EPDs for Sustainable Project Delivery



Rethinking DBE for Design-Build

First, we would like to say...

Thank You!





Standard Specifications



2023 Standard Specs

6-1.06 BUY CLEAN CALIFORNIA ACT

6-1.06A Summary

For projects with a total bid over \$1 million and 175 or more original working days, the materials or products shown in the following table are subject to the Buy Clean California Act (Pub Cont Code § 3500 et seq.):

| Material or product | Material specifications |
|--|--|
| Carbon steel rebar ^a | Section 52-1.02B, "Bar Reinforcement" Excludes epoxy-coated or galvanized reinforcement uses. |
| Structural steel ^b | Section 55-1.02D(1), "General," – Structural Steel and Other Materials tables and Section 99, "Building Construction." For hot-rolled, plate or hollow materials. |
| Flat glass ^c | Section 99, "Building Construction" |
| Mineral wool board insulation ^d | Section 99, "Building Construction" |

^aFor each mill providing 20,000 pounds or more on the project.

^bFor each mill providing 5,000 pounds or more on the project.

^cFor each manufacturer providing 2,000 square feet or more on the project.

^dFor each manufacturer providing 4,000 square feet or more on the project.



Standard Specifications



2023 Standard Specs

For carbon steel rebar material subject to Buy Clean California Act, the source mill must be on the Authorized Material List for Buy Clean California Act compliant steel mills. Identify source mills on Notice of Materials to be Used form submittals.

For structural steel, flat glass, and mineral wool board insulation subject to Buy Clean California Act, submit an environmental product declaration for each applicable material or product at least 15 days before scheduled installation. The global warming potential of each applicable material or product as evidenced by its environmental product declaration must not exceed the maximum acceptable global warming potential values established by the Department of General Services. Do not install the applicable material or product until the submittal has been authorized. The maximum acceptable global warming potential for each category of material or product is published on the Department of General Services website at:

<https://www.dgs.ca.gov/>



Authorized Materials List



Material Category: Carbon Steel Rebar

| Company Name | Facility Address | Declaration Number | EPD Validity Range (Start - End) |
|---|--|--------------------|----------------------------------|
| Cascade Steel Rolling Mills, Incorporated | 3200 NE Highway 99W McMinnville, OR 97128 | 4790066131.101.1 | 1/3/2022 - 1/1/2027 |
| Cascade Steel Rolling Mills, Incorporated | 3200 NE Highway 99W McMinnville, OR 97128 | SCS-EPD-04335 | 1/19/2017 - 1/18/2022 |
| CMC - Cayce | 310 New State Road Cayce, SC 29033 | EPD-191 | 2/25/2021 - 2/24/2026 |
| CMC - Durant | 584 Old Highway 70 Durant, OK 74701 | EPD-191 | 2/25/2021 - 2/24/2026 |
| CMC - Jacksonville | 16770 Rebar Road Jacksonville, FL 32234 | EPD-191 | 2/25/2021 - 2/24/2026 |
| CMC - Knoxville | 1919 Tennessee Avenue Knoxville, TN 37921 | EPD-191 | 2/25/2021 - 2/24/2026 |
| CMC - Mesa | 11444 East Germann Road Mesa, AZ 85212 | EPD-191 | 2/25/2021 - 2/24/2026 |
| CMC - Sayreville | 1 Crossman Road North Sayreville, NJ 08872 | EPD-191 | 2/25/2021 - 2/24/2026 |



What We Need to Know

Contractor's Role

- CEM-3101 Notice of Materials to be Used Form
 - Carbon Steel Rebar, Structural Steel, Flat Glass, Mineral Wool Board Insulation
- Submit applicable EPDs through DIME
 - Register with DIME **at least 15 days before submitting**
- Ensure quantity data has been input on DIME **within 5 business days of shipment receipt at project site.**
- Confirm applicable manufacturers are on the **Authorized Material List.**
- Comply with Section 6-1.06 of the Contract Special Provisions and Standard Specifications

Caltrans Role

- Discuss EPD requirements at the Pre-Con meeting
- Review of EPD submittals – **Engage your METS Rep!**
- Verify the reported GWP is within published limits





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Questions?

