



Local Assistance Day LAPM Chapter 16 2026 Office Bulletins

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February 17, 2026



LAPM Chapter 16

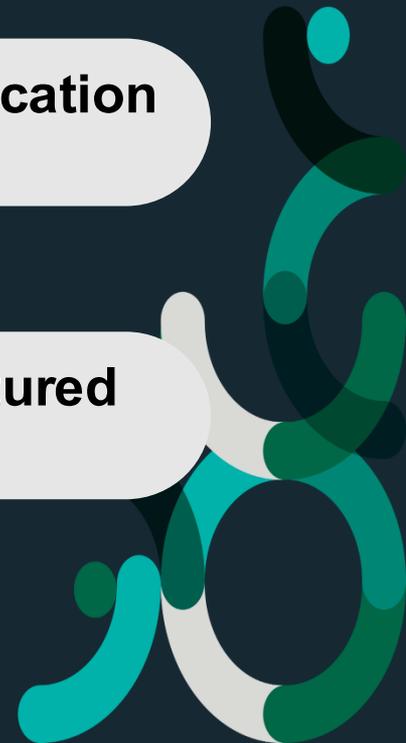
2026 Office Bulletins



#25-04: Sample Quality Assurance Program (QAP)

#25-05: Final Inspection and Final Materials Certification Submittals

#25-06: Buy America Requirements for Manufactured Products



Office Bulletin (OB)



OB25-4: Sample QAP

Office Bulletin | Division of Local Assistance
Policy Update

#25-04: Sample Quality Assurance Program (QAP)

Purpose
Per 23 CFR 637, Local Public Agencies (LPAs) are required to have a Quality Assurance Program (QAP) that ensures the materials and workmanship incorporated into each construction projects conform to the Local Assistance Manual (LAM) December 2024 update.

OB25-5: Final Inspection and Final Materials Cert.

Office Bulletin | Division of Local Assistance
Policy Update

#25-05: Final Inspection and Final Materials Certification Submittals

Purpose
A process review was conducted to reduce Final Report of Expenditures (FROE) submittal errors from Local Public Agencies (LPAs). One area of improvement identified was the simplification/ elimination of the Final Inspection and Final Materials Certification (FFMC) submittal process.

OB25-6: Buy America Req. for Manufactured Products

Office Bulletin | Division of Local Assistance
Policy Update

#25-06: Buy America Requirements for Manufactured Products

Purpose
The purpose of this Office Bulletin is to inform Local Public Agencies (LPA) of the Federal Highway Administration's (FHWA) final rule amending Buy America regulations to terminate the general applicability waiver for manufactured products. These changes require updates to the Local Assistance Procedures Manual (LAPM) Chapters 12 and 16 to ensure compliance with new federal requirements for Federal-aid highway projects. More information is available at: <https://www.federalregister.gov/documents/2025/01/14/2024-31350/buy-america-requirements-for-manufactured-products>

OFFICE BULLETIN #25-04



Updated information on LAPM 16.11.1 Materials Acceptance Program

&

16.11.3 Responsibilities of the RE

 Office Bulletin | Division of Local Assistance
Policy Update

#25-04: Sample Quality Assurance Program (QAP)

Purpose
Per 23 CFR 637, Local Public Agencies (LPAs) are required to have a Quality Assurance Program (QAP) that ensures the materials and workmanship incorporated into each construction projects conform to the requirements of the contract plans and specifications. Local Assistance Procedures Manual (LAPM) Chapter 16.11 provides a link to the "QAP Manual for Use by Local Agencies" dated December 2008, which includes an example QAP in Appendix Y. The sample QAP has been updated and is provided as a stand-alone template.

Policy Update
Upon publication of this Office Bulletin, LPAs may utilize the updated sample QAP available at: <https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/coe/qap-template.docx>

The 2008 QAP Manual is outdated and the link will be deactivated.

Publication Changes
The following table lists the changes to the January 2025 LAPM. LAPM changes noted below supersede the existing 2025 LAPM publication and will be hard coded in the January 2026 version.

LAPM Chapter 16	Changes that Supersede Current Publication
Section 16.11	<p>Quality Assurance Program</p> <p>A Quality Assurance Program (QAP) is a program that will ensure the materials and workmanship incorporated into each construction project conform to the requirements of the contract plans and specifications including approved changes.</p> <p>For federal construction projects, each the LPA is required to adopt have a QAP. Caltrans will not process a Request for Authorization for Construction without verification of an adepted approved QAP. The QAP must be signed by the LPA public works director or, if the director is not registered, it must be delegated to the next highest registered Engineer. The QAP must be updated at least every five years. Copies of the approved QAP must be kept on file and available for Caltrans review.</p> <p>The LPA is required to adhere to their QAP during the construction of the project, but a QAP is not part of the contract. A QAP can be thought of as a commitment by the LPA to FHWA.</p>

Supersede Current Publication

- ~~QAP are an acceptance program a Materials Acceptance Program that meets the criteria in 23 CFR 637.~~
- ~~used as shown below:~~
- ~~al-Discussion~~
- ~~ns-for-Projects-on-or-off-the-SHS~~
- ~~is-Acceptance-Program~~
- ~~imum Sampling and Testing Frequency Requirements~~
- ~~nple-Testing-Results-Summary-Log~~
- ~~terials-Accepted-by-a-Certificate-of-Compliance-per-the-Contract-Specifications~~
- ~~ice-Inspection-Process~~
- ~~ndent-Assurance-(IA)-Program~~
- ~~ier-Certification-Process~~
- ~~oratory-Qualification-Process~~
- ~~ipment-Calibration-Process~~
- ~~is-Certification-Process-for-completed-project~~

On or Off the SHS
QAP depend on whether the project is on or off the SHS.
§, the LPA must adopt the Caltrans QAP detailed in the following

- [Construction Manual](#)
- [tion Manual Supplement for Local Agency REs](#)
- [ency Structure Representative Guidelines](#)
- [tent Assurance Manual](#)

it Caltrans Standard Specifications (CTSS) and Plans must be part of ns and Estimate (P&E). Test methods used must be as specified in the CTSS and special provisions.

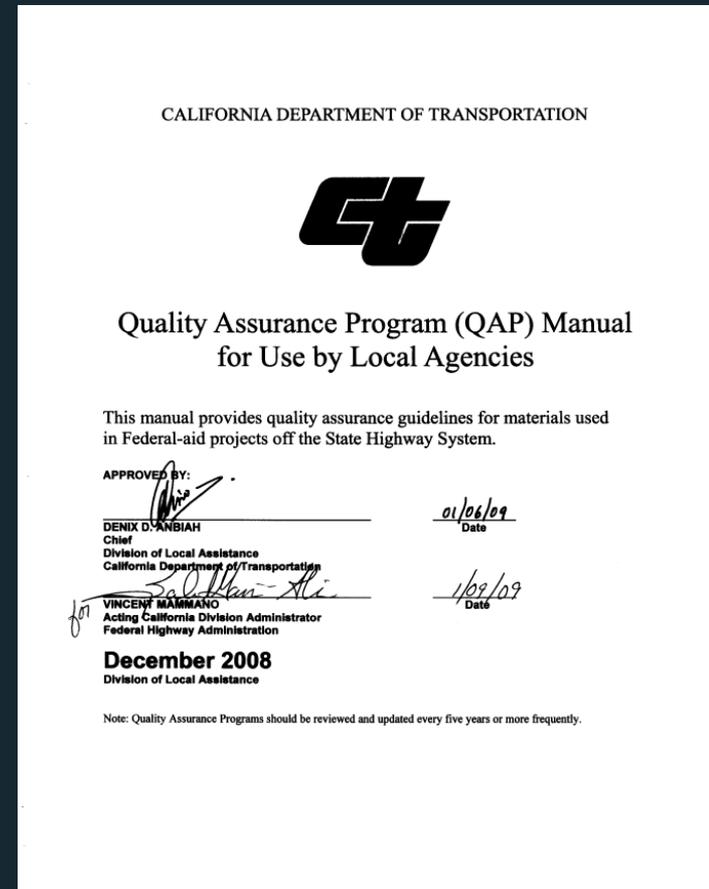
<https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/ob/2025/ob25-04.pdf>

OFFICE BULLETIN #25-04



MAIN CHANGES

- The 2008 QAP Manual was outdated and the link has been deactivated.
- The manual was more of guide on how to develop a QAP.
- This resulted in a wide variation of QAP formats.
- Increased review time and delayed issuance of Acceptance Letter by Caltrans Materials Engineering and Testing Services (METS).



OFFICE BULLETIN #25-04



MAIN CHANGES

- A new QAP template is available for use by Local Public Agencies.
- The template can be tailored to suit the agencies needs and maintain compliance with 23 CFR 637 and the LAMP.
- It provides a streamlined format that can minimize review time by METS.

QUALITY ASSURANCE PROGRAM (QAP)

[NAME OF LOCAL PUBLIC AGENCY (LPA)]

APPROVED BY:

[signature by LPA Public Works Director or next highest registered engineer]

Name:

[PE Stamp]

Title:

Revised December 22 2025

OFFICE BULLETIN #25-04

MAIN CHANGES



The new QAP Template has a section for the Acceptance of Minor Quantities of Material without Testing if certain conditions are met.

Visual Inspection

- Relatively minor quantities of construction materials may be accepted without testing.
- The following 3 conditions must be met:
 1. Visual examination of the material is performed.
 2. The manufacturer or supplier has recently furnished similar materials found to be satisfactory using normal sampling and testing requirements.
 3. The manufacturer (or supplier in the case of HMA or concrete) provides certification that the material furnished complies with the contract specifications.

Revised December 22, 2025

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[Local Public Agency]

Quality Assurance Program

Approximate Quantities that May be Accepted by Visual Inspection

- Aggregates other than for use in Portland Cement Concrete, not to exceed:
 - 100 tons per day, nor
 - 500 tons per project
- Bituminous mixtures (example: HMA), not to exceed
 - 50 tons per day
 - If project total is less than 500 tons., sample at engineer's discretion
- Bituminous material (example: Liquid Asphalt), not to exceed:
 - 100 gallons per project

<https://dot.ca.gov/programs/local-assistance/guidance-and-oversight/construction-oversight-program>

OFFICE BULLETIN #25-04

MAIN CHANGES



The new QAP Template has been posted to the public facing Construction Oversight Program website under Resources as is available for download

The screenshot shows the website dot.ca.gov/programs/local-assistance/guidance-and-oversight/construction-oversight-program. The page features a navigation bar with the Caltrans logo and links for 'About Caltrans', 'Contact Us', and 'ADA Certification'. Below the navigation, there are links for 'News', 'Work with Caltrans', and 'Programs'. A list of links is provided, including 'Buy America--Ask an Expert' and '2023 Caltrans Construction Contract Standards (CCS)--Ask an Expert'. A 'Resources' section is highlighted, containing a list of documents. The 'QAP Template' link is enclosed in a red rectangular box. Other resources include 'Acceptance Testing Results Summary Log (Excel)', 'Caltrans Test Method - ASTM Test Method Conversion Chart', 'Certificate of Proficiency', 'De Minimis Cost Waiver Worksheet (Version 1.0)', 'De Minimis Cost Waiver Worksheet (Version 1.0) (ITS Example)', 'Independent Assurance Sampling and Testing Summary Log', 'Materials Requiring COC Caltrans', 'Materials Requiring COC Greenbook', 'Notice of Materials to be Used', 'Sampling and Testing Frequency Table for Projects Off the SHS', and 'Quantity Calc Sheet'. At the bottom, a note invites users to send comments to the [DLA Webmaster](#).

<https://dot.ca.gov/programs/local-assistance/guidance-and-oversight/construction-oversight-program>



OFFICE BULLETIN #25-05

MAIN CHANGES

Updated information on LAPM 16.3.1 Organization of Project Records

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16.11.4 Materials Certification

&

16.17.1 Final Inspection

Office Bulletin | Division of Local Assistance
Policy Update

#25-05: Final Inspection and Final Materials Certification Submittals

Purpose
A process review was conducted to reduce Final Report of Expenditures (FROE) submittal errors from Local Public Agencies (LPAs). One area of improvement identified was the simplification/ elimination of the final report documents that collectively constitute the FROE as detailed in Local Assistance Procedures Manual (LAPM) Chapter 17: Project Completion.

Two specific documents, Exhibit 17-C: Final Inspection Form and Exhibit 17-G: Materials Certificate were identified as better located in LAPM Chapter 16: Administer Construction Contracts, Exhibit 17-B: Final Inspection of Federal-Aid Project (FHWA 1446C) was also identified as an obsolete form to be retired from the LAPM.

Policy Update
Upon publication of this Office Bulletin, Exhibit 17-C and Exhibit 17-G are replaced with LAPM 16-F: Final Inspection Form and LAPM 16-E: Final Materials Certification respectively, and are no longer required as part of the Final Report of Expenditures submittal outlined in LAPM Chapter 17. Submittal requirements for LAPM 16-E and LAPM 16-F are documented in the revised Chapter 16 text noted below.

Publication Changes
The following table lists the changes to the January 2025 LAPM. LAPM changes noted below supersede the existing 2025 LAPM publication and will be hard coded in the January 2026 version.

LAPM Chapter 16	Changes that Supersede Current Publication
Section 16.3.1	Organization of Project Records ... 14. Project Completion Documents a. LAPM 16-E: Final Materials Certification b. LAPM 16-F: Final Inspection Form c. Contract acceptance related documents and correspondence

Office Bulletin | Division of Local Assistance
Policy Update

Changes that Supersede Current Publication

Final Inspection
On completion of the project, the RE must complete Exhibit 17-C: Materials Certificate. The LPA's Person-in-Charge must sign the certificate. All materials incorporated into the work which did not conform to specifications must be explained and justified on the Materials Certification, including changes by use of change order. The original is submitted to the DLAE in the Report of Expenditures and a copy is placed in the project file.

Final Materials Certification
On completion of construction, the RE must complete LAPM 16-E: Final Materials Certification and submit a copy to the DLAE. All materials incorporated into the work which do not conform to the project specifications must be explained and justified on LAPM 16-E, including changes by virtue of change orders.

Final Inspection and Construction Engineering Review by the State
Final inspection of the work should be made by the LPA. This inspection should occur prior to final completion and before project verification by Caltrans DLAE. Any punch list items resulting from this inspection must be completed by the contractor prior to the expiration of contract time. For details on final inspection, see LAPM Chapter 17: Project Completion (Section 17.2: Final Inspection Procedures for Federal-Aid Projects). The RE must also take the time to do one last review of the project Environmental Commitment Record, confirming all obligations were performed and finalizing necessary documentation. LPA construction engineering records may be reviewed during the life of the project up to three years after final voucher.

Section formerly 16.17 is moved to 16.16

Contract Disputes and Claims

Section 16.17

Final Inspection and Contract Acceptance
16.17.1 Final Inspection
A final inspection of the work must be conducted by the LPA prior to final completion and before project verification by the DLAE. Any punch list items

<https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/ob/2025/ob25-05.pdf>

OFFICE BULLETIN #25-05

MAIN CHANGES



Exhibit 17-C: Final Inspection Form and **Exhibit 17-G:** Materials Certificate moved to LAPM Chapter 16: Administer Construction Contracts.

Both longer required as part of the Final Report of Expenditures submittal outlined in LAPM Chapter 17.

Exhibit 17-B: Final Inspection of Federal-Aid Project (FHWA 1446C) was also identified as an obsolete form to be retired from the LAPM.



OFFICE BULLETIN #25-05

MAIN CHANGES



Materials Certification

Upon completion of construction, the RE must complete LAPM 16-E: Final Materials Certification and submit a copy to the DLAE.

Old Exhibit 17-G

Local Assistance Procedures Manual Exhibit 17-G
Materials Certificate

Exhibit 17-G: Materials Certificate

MATERIALS CERTIFICATE
CITY/COUNTY LETTERHEAD
(Sample)

Date: _____
Federal-Aid Project Number: _____
Caltrans File Category 61: N/A - Caltrans Use
Job Stamp: N/A - Caltrans Use

Subject: Materials Certification

This is to certify that:

The results of the tests on acceptance samples indicate that the materials incorporated in the construction work and the construction operations controlled by sampling and testing were in conformity with the approved plans and specifications.

Exceptions to the plans and specifications are explained on the back of this memorandum (or on attached sheet).

No exceptions to the plans and specifications were found.

Signature of local agency engineer in responsible charge of project and title

Distribution: (For all projects) 1) Local Agency Project Files (original)
2) DLAE (1 copy in Report of Expenditures)
(For projects on the NHS) 3) FHWA (1 copy)

Page 1 of 1
January 2022



New Exhibit 16-E

Formatted for eSignatures

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DLA FINAL MATERIALS CERTIFICATION Lock Form
DOT LAPM 16-E (REV 02/2021) Page 1 of 2

DATE: _____ LOCAL PUBLIC AGENCY (LPA) _____ FEDERAL PROJECT NUMBER _____

PROJECT NAME _____

MATERIALS CERTIFICATION

This is to certify that the results of the tests on acceptance samples show that both the materials used in the construction work and the construction operations controlled by sampling conform to the approved plans and specifications.

No exceptions to the plans and specifications were found.

Exceptions to the plans and specifications are explained in the following (or on attached sheet).

RESIDENT ENGINEER SIGNATURE DATE _____

DISTRIBUTION: Original - LPA Project File Copy - DLAE

Americans with Disabilities Act (ADA) Notice: This document is available in alternative accessible formats. For more information, please contact the Forms Management Unit at (279) 224-2266, TTY 711, in writing at Forms Management Unit, 1100 N Street, MS-69, Sacramento, CA 95814, or by email at Forms.Management.Unit@dot.ca.gov.

<https://forms.dot.ca.gov/v2Forms/servlet/FormRenderer?fmid=DOTLAPM16E>

OFFICE BULLETIN #25-05



MAIN CHANGES

Final Inspection

Upon successful completion of any punch list items and/or corrective actions undertaken by the contractor, the LPA representative should complete LAPM 16-F: Final Inspection Form and submit to the Caltrans DLAE for verification prior to contract acceptance.

Old Exhibit 17-C

Local Assistance Procedures Manual EXHIBIT 17-C Final Inspection Form

EXHIBIT 17-C FINAL INSPECTION FORM

INSTRUCTIONS: Local agency is to complete Items 1-10. DLAE completes Items 11-13 and submits original plus two (2) copies to the Division of Local Assistance.

1. PROJECT NO.:	2. DIST-CO-RTE-AGENCY:	3. COMPLETION DATE:
4. LOCATION OF IMPROVEMENTS AS PROGRAMMED:		
5. TYPE OF WORK:		
6. CONTRACTOR'S NAME:	7. CONTRACT AMOUNT:	
8. DATE OF CONTRACT ACCEPTANCE:		
9. FINAL INSPECTION. The above listed project was completed and a final inspection has been made. The project was completed as programmed and in compliance with all state and federal requirements. (Check appropriate box) <input type="checkbox"/> This project is Delegated and not subject to FHWA oversight. FHWA Final Inspection not required. <input type="checkbox"/> This project is an FHWA High Priority project. FHWA Final Inspection required.		
SIGNATURE (Local Agency Rep):		DATE:
TITLE:		
10. REMARKS:		
11. DISTRICT REVIEW MADE BY (print name):	12. DATE OF PROJECT REVIEW:	
13. PROJECT VERIFICATION: This verification of completion also constitutes approval to pay costs shown in the Final Invoice included in the Report of Expenditures. The person listed above has reviewed the job site and found the project constructed in accordance with the scope and description of the project authorization document and in reasonable conformance with the plans and specifications.		
SIGNATURE: District Local Assistance Engineer: Oversight Engineer		DATE:

Distribution: (2) Local Agency - Retain a copy

Page 1 of 1
January 2013



New Exhibit 16-F

Formatted for eSignatures

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
FINAL INSPECTION FORM
DOT LAPM 16-F (REV 07/2025)

Lock Form

Federal Project No. Local Public Agency (LPA):

Project Name:

Construction of the project was completed and a final inspection of the job site by the LPA was performed. The work was performed as authorized and in conformance with State and Federal requirements.

Name of Resident Engineer	Date of Final Inspection
Signature	Date
Name of LPA Person in Responsible Charge (if Resident Engineer is a Consultant)	
Signature	Date

Caltrans Inspection Verification (by DLAE or designee)

Remarks:

A final inspection was performed, and the project was found to be constructed in accordance with the scope and description of work in the project authorization documents and in reasonable conformance with the plans and specifications.

Name of DLAE (or designee)	Date of Job Site Review (if applicable)
Title	
Signature	Date

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<https://forms.dot.ca.gov/v2Forms/servlet/FormRenderer?frmID=DOTLAPM16F>

OFFICE BULLETIN #25-05



MAIN CHANGES

Upon receipt of LAPM 16-F: Final Inspection Form, the DLAE will review the project site to verify the project was constructed in accordance with the scope and description of the project in the authorization documents.

Any safety, design, or construction deficiencies that are identified will be promptly brought to the attention of the LPA for correction. Upon satisfactory review the work, the DLAE will sign LAPM 16-F: Final Inspection Form and transmit a copy to the LPA.





Buy America Build America Update

Termination of the FHWA general waiver on Manufactured products



Office Bulletin | Division of Local Assistance
Policy Update

#25-06: Buy America Requirements for Manufactured Products

Purpose

The purpose of this Office Bulletin is to inform Local Public Agencies (LPA) of the Federal Highway Administration's (FHWA) final rule amending Buy America regulations to terminate the general applicability waiver for manufactured products. These changes require updates to the Local Assistance Procedures Manual (LAPM) Chapters 12 and 16 to ensure compliance with new federal requirements for Federal-aid highway projects. More information is available at:

<https://www.federalregister.gov/documents/2025/01/14/2024-31350/buy-america-requirements-for-manufactured-products>

Policy Update

Effective **October 1, 2025**, for Federal-aid projects with construction E-76 authorization on or after this date, all manufactured products permanently incorporated into the project must be assembled in the United States.

OFFICE BULLETIN #25-06

BUY AMERICA BACKGROUND WAIVERS



- 1983: FHWA issued a general waiver for manufactured products.
- 1983: FHWA issued Minimal Use for Iron or Steel products of 0.1 percent of the total Bid Amount or \$ 2,500, which ever is greater.
(Still in effect- No Change)
- 2022: Construction Materials codified in 2 CFR 184.
No Minimum use clause like for Iron or Steel.
- 2025: FHWA rescinded the waiver for manufactured products in March and issues waivers for Small Grants and De Minimis Cost for Construction Materials and Manufactured Products.





FHWA FINAL RULE

The final rule terminates FHWA's general waiver on Manufactured Products.

1. Con authorization on or after **October 1, 2025**. All manufactured products permanently incorporated must be assembled in the United States.
2. Con authorization on or after **October 1, 2026**
 - Must both be manufactured in the United States and
 - Have the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States be greater than 55 percent of the total cost of all components of the manufactured product.

<https://www.federalregister.gov/documents/2025/01/14/2024-31350/buy-america-requirements-for-manufactured-products>





WAIVER FOR DE MINIMIS COSTS AND SMALL GRANTS

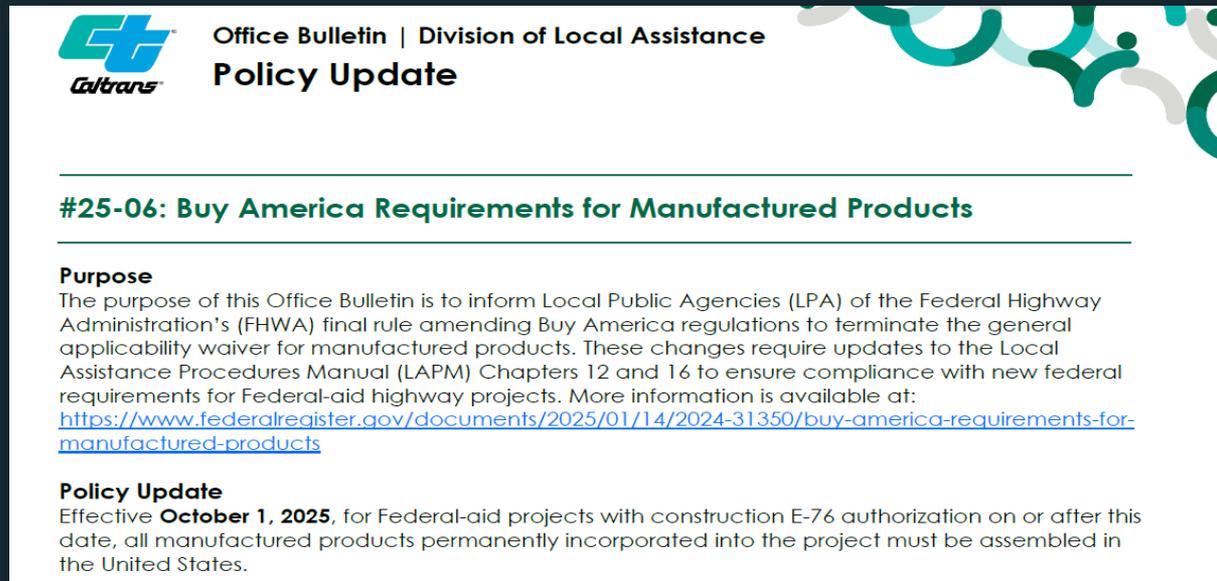
De Minimis: The total value of the non-compliant products does not exceed the lesser of \$1,000,000 or 5% of total applicable project costs (De Minimis Costs)

Small Grants Waiver: The total amount of Federal financial assistance (all phases) applied to the project, through awards or subawards, is below \$500,000





How is Caltrans DLA assisting to ensure compliance with new Buy America Requirements?

A white rectangular graphic with a decorative border of teal and green circles and lines on the right side. It contains the Caltrans logo, the text 'Office Bulletin | Division of Local Assistance Policy Update', a title '#25-06: Buy America Requirements for Manufactured Products', and two sections: 'Purpose' and 'Policy Update'.

 Office Bulletin | Division of Local Assistance
Policy Update

#25-06: Buy America Requirements for Manufactured Products

Purpose
The purpose of this Office Bulletin is to inform Local Public Agencies (LPA) of the Federal Highway Administration's (FHWA) final rule amending Buy America regulations to terminate the general applicability waiver for manufactured products. These changes require updates to the Local Assistance Procedures Manual (LAPM) Chapters 12 and 16 to ensure compliance with new federal requirements for Federal-aid highway projects. More information is available at: <https://www.federalregister.gov/documents/2025/01/14/2024-31350/buy-america-requirements-for-manufactured-products>

Policy Update
Effective **October 1, 2025**, for Federal-aid projects with construction E-76 authorization on or after this date, all manufactured products permanently incorporated into the project must be assembled in the United States.

[Division of Local Assistance Office Bulletin OB 25-06](#)



UPDATES TO LAPM CHAPTERS

LAPM Chapter 12: Plans, Specifications and Estimates-

- Section 12.8 Buy America (complete rewrite from previous)
- Section 12.12 Local Public Agency Furnished Materials

LAPM Chapter 16: Administer Construction Contracts-

- Section 16.4 Pre-Construction Conference
- Section 16.11.1 Material Acceptance Program





UPDATES TO LAPM EXHIBITS

Exhibit 12-G: Required Federal-Aid Contract Language

- Section 8. Buy America

Exhibit 12-D: PS&E Checklist

- XII. Federal Requirements
 - No. 8 Buy America

Exhibit 12-E: PS&E Checklist Instructions

- XII. Federal Requirements
 - Required Federal Contract Provisions



OFFICE BULLETIN #25-06 UPDATES TO LAPM EXHIBITS



Exhibit 12-G Section 8. Buy America

- Rewritten with instructions as to what Federal-Aid Contract Language needs to be included in LPA's PS&E packages regarding BA requirements.
- If Small Grants waiver is applicable and invoked. No Buy America provisions in the contract are required.
- Invoking Small Grants Waiver is contingent on amount of Federal Aid and scope of the project.
- If no product specific waivers approved by FHWA, then delete the paragraph/list on approved Buy America waivers for each section, i.e., Iron or Steel Products, Manufactured Products, and Construction Materials.



OFFICE BULLETIN #25-06 EXHIBIT 12-G: REQUIRED FEDERAL-AID CONTRACT LANGUAGE



SECTION 8 BUY AMERICA UPDATES

8. BUY AMERICA

[Include the Buy America provisions below when required by LAPM Chapter 12] ←

Buy America Requirements apply to iron or steel, manufactured products, and construction materials permanently incorporated into the project.

Buy America requirements do not apply to the following:

1. Tools and construction equipment used in performing the work
2. Temporary work that is not incorporated into the finished project

An article, materials, or supply to be permanently incorporated in the project should only be classified into the following categories:

1. Iron or steel products
2. Manufactured products
3. Construction materials
4. Excluded materials

Iron or Steel Products

All iron or steel products permanently incorporated into the project must be melted and manufactured in the United States except:

1. Foreign pig iron and processed, pelletized, and reduced iron ore may be used in the domestic production of the steel and iron materials [60 Fed Reg 15478 (03/24/1995)];
2. If the total combined cost of the materials produced outside the United States does not exceed the greater of 0.1 percent of the total contract amount or \$2,500, materials produced outside the United States may be used if authorized.

Iron or steel products are defined as articles, materials, or supplies that consist wholly or predominantly of iron or steel or a combination of both.

For a product to be considered to consist predominantly of iron or steel, or a combination of both means the cost of the iron or steel content of the product exceeds 50 percent of the total cost of all its components. The cost of iron or steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components.

Furnish iron or steel products to be incorporated into the work with certificates of compliance and certified mill test reports. Mill test reports must indicate where the iron or steel were melted and manufactured. All melting and manufacturing processes for these materials, including an application of a coating, must occur in the United States. Coating includes all processes that protect or enhance the value of the material to which the coating is applied.

[Delete the paragraph below if not applicable] ←

The following iron or steel products have received an approved Buy America waiver for this project and are therefore not subject to Buy America requirements:

1. _____
2. _____

Page
Octo

Exhibit 12-G (rev Oct 2025)

OFFICE BULLETIN #25-06



Exhibit 12-D: PS&E Checklist

7. Beginning of Work, Time of Completion and Liquidated Damages or equivalent provisions are included

Page No: _____

8. Buy America

Buy America or equivalent provisions are included ←

Page No: _____

A Buy America waiver was approved by FHWA on:

Date: _____

Project has less than \$500,000 in Federal Assistance (all phases) and falls under FHWA's Small Grant's Waiver. No Buy America provisions included in project special provisions. ←

9. Quality Assurance or equivalent provisions are included

Page No: _____

10. Prompt Payment from the Agency to the Contractors or equivalent provisions are included

Page No: _____

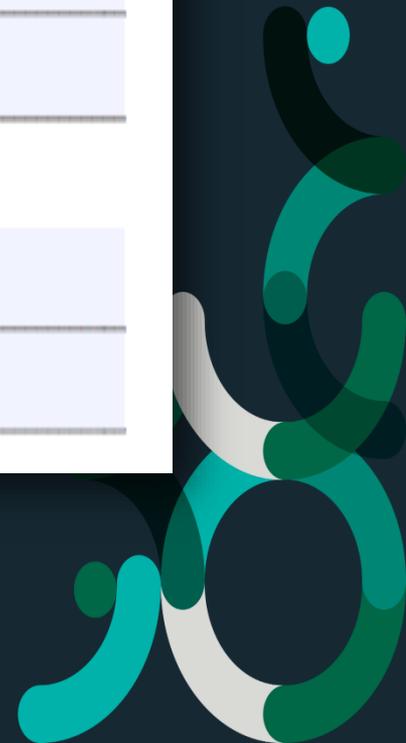




Exhibit 12-E: PS&E Checklist Instructions

XII. Federal Requirements

Federal-aid projects are classified based on whether they are located on the National Highway System including interstate, primary state highways and secondary local roads. However, some projects are treated as federal-aid projects regardless of their locations.

- A. Required Federal Contract Provisions** - Ensure Exhibit 12-G: Required Federal-aid Contract Language or equivalent provisions are in the contract. Inserting unmodified Exhibit 12-G with appropriate information filled, into the project's contract is strongly recommended. Provide page numbers if using equivalent provisions.

Form FHWA-1273 must be physically inserted unmodified into the executed contract.

Provisions for liquidated damages shall be included in all Federal-aid contracts on the NHS (see Chapter 12: Plans, Specifications & Estimate of the LAPM for requirements.

Current Buy America regulations are discussed in Section 12.8, Federal Contract Requirements of the LAPM. Buy America applies to **iron or steel products, manufactured products, and construction materials if \$500,000 or more of federal funding used on any or all phase(s) of a project.** Buy America requirements do not apply to **projects that have less than \$500,000 of federal funding (all phases) under FHWA's Small Grants Waiver, or have a specific product waiver which requires FHWA approval.**

Section 12.8: Federal Contract Requirements of the LAPM includes information for On-the-Job Training.

Please note that among all the federal requirements, the most frequent deficiencies (or missing requirements) are observed from '6. Changed Conditions', '12. Female and Minority Goals', and '14. Federal Trainee Program'. Inserting unmodified Exhibit 12-G into the contract is suggested as the best way to mitigate such deficiencies.

OFFICE BULLETIN #25-06



LAPM Chapter 12 Section 12.8 Buy America

Waiver for De Minimis Costs and Small Grants

Waiver of Buy America Requirements for De Minimis Costs and Small Grants

FHWA's general waiver for manufactured products, established in 1983, has been rescinded, and manufactured products permanently incorporated into the project must be manufactured in the United States. However, a waiver is available for de minimis costs and small grants, which applies to manufactured products and construction materials when:

- The total value of non-compliant products does not exceed the lesser of \$1,000,000 or 5% of total applicable project costs (de minimis costs); or
- The total amount of Federal financial assistance applied to the project, through awards or subawards is below \$500,000 (small grants).

The percent threshold is calculated based on the following formula:

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Waiver for De Minimis Costs

De Minimis Waiver Calculation for Construction Materials and Manufactured Products

Waives the application of the Buy America requirements for **Construction Materials (CM)** and **Manufactured Product (MP)** when the total value of the **Non-Compliant Materials (NC)** is no more than the **lesser of \$ 1,000,000 or 5% of the Total Applicable Project Cost for the project**. Including **Change Orders** and any applicable **Agency Furnished Materials** that impact the **Total Applicable Project Cost**.

$$5.0\% = \frac{\text{Non-Compliant Material Value}}{\text{Total Applicable Material Cost}}$$

$$5.0\% = \frac{(CM+MP)}{(I+S+CM+MP)}$$

I= Iron

S= Steel

CM= Construction Materials

MP= Manufactured Products

(CM+MP) 5%	I+S+CM+MP
\$ 1,000	\$ 20,000
\$ 10,000	\$ 200,000
\$ 100,000	\$ 2,000,000
\$ 250,000	\$ 5,000,000
\$ 500,000	\$ 10,000,000
\$ 750,000	\$ 15,000,000
\$ 1,000,000	\$ 20,000,000
\$ 1,000,000	> \$ 20 M

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Waiver for De Minimis Calculations



- DLA Office Guidance and Oversight has developed spreadsheet tool to assist Local Public Agency REs in the calculation of the De Minimis Cost.
- The tool can be used as resource in calculations and tracking applicable Buy America materials used on the project and for documentation of compliance for auditing purposes.
- The spreadsheet is intended to be completed by the contractor when requesting a De Minimis Cost Waiver to be invoked for a project for Iron or Steel products, Manufactured Products and Construction Materials.
- If there are applicable Buy America materials that are Agency Furnished Materials on the project, then that cost information must be provided by the Agency and included in the De Minimis Cost Calculation spreadsheet.



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Waiver for De Minimis Calculations Contn'd

- It is recommended that spreadsheet tool be made available to the contractor and submitted to the RE early in the contract for review and approval.
- The Contractor must provide invoices for the actual cost of the material including transportation to the project site.
- If De Minimis Cost Waiver Worksheet calculation for materials subject to Buy America is not submitted, the Local Agency may:
 - Withhold from the next progress payment
 - Reject the request for a De Minimis Costs waiver for non-compliant construction materials or manufactured products.



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Waiver for De Minimis Calculations Contn'd

Resources

- [QAP Template](#)
 - [Acceptance Testing Results Summary Log \(Excel\)](#)
 - [Caltrans Test Method – ASTM Test Method Conversion Chart](#)
 - [Certificate of Proficiency](#)
 - [De Minimis Cost Waiver Worksheet \(Version 1.0\)](#)
 - [De Minimis Cost Waiver Worksheet \(Version 1.0\) \(ITS Example\)](#)
 - [Independent Assurance Sampling and Testing Summary Log](#)
 - [Materials Requiring COC Caltrans](#)
 - [Materials Requiring COC Greenbook](#)
 - [Notice of Materials to be Used](#)
 - [Sampling and Testing Frequency Table for Projects Off the SHS](#)
- [Quantity Calc Sheet](#)



The De Minimis Cost Waiver Worksheet is available for download from the DLA Construction Oversight Program Website Under the Resources section.

[Construction Oversight Program](#)

Please feel free to send comments regarding this web site to the [DLA Webmaster](#) .



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Waiver for De Minimis Calculations Contn'd

Example ITS Project De Minimis Worksheet

7. Column O: Select from pull down (Y) or (N) if Iron or Steel Products are accompanied by Bug American Certificates of Compliance and Mill Certificate. Note: The selection made is used for record keeping and the selection made is used in the De Minimis calculations for Iron and Steel Products. 0.1% of percent of the Contract Amount is calculated at the bottom of the page. Per De Minimis guidance for Iron or Steel Products, the greater of \$2,500 or 0.1% of Total Contract Amount including Change Orders will be calculated. If (N) is entered then the cell will automatically shade yellow and the value entered in in Column M will populate in the Category Table for S to be used in the De Minimis Calculations for Iron or Steel.

For Change Orders: List all Change Orders and any additional applicable Bug America materials below the previously entered bid applicable bid item materials.

A. Columns C & D-H: Enter pay CO No., Description, Unit, Qty, Unit Price and Change Order Amount for the project.

B. Repeat steps 2-7 above and new De Minimis Value Amount will be recalculated.

C. If a Change Order involves no applicable Bug America Materials the cost of the Change Order must still be accounted for whether there is an increase or decrease in the project amount. Enter the Change Order information Columns C & D-H. If No Bug America Materials associated with the Change Order then in Column D Instead of Pay Item (Child Item)/CO (Materials) Descriptions enter "No Bug America Materials this CO (State Reason for CO)" Reason Examples (RVN/Delay), (Additional Flagging), (Additional Temporary Signs), etc.

Page 1

CONTRACT (PAY ITEM/CO) LIST TABLE													CATEGORY TABLE I, S, CM, MP				CATEGORY TABLE I or S				
No.	Pay Item No.	CO No.	Pay Item (Child Item)/CO (Materials) Descriptions	Unit	Quantity	Unit Price Item	Amount (Pay Items)	CO Amount	Material Description (Examples: Rebar, PVC Pipe, Iron Grate, Glass Beads, Thermo/Paint, Wood Posts, or Manufactured Product, etc.)	Material Type I, S, MP, CM	Category Type (1,2,3)	Applicable Material Costs (including transportation) (Amount(\$))	Manufactured Product (MP) or Construction Material (CM) (BA-Cert) (Y/N)	Iron (I) or Steel (S) (BA/MIH Cert) (Y/N)	I	S	MP	CM	I	S	
1	1		Mobilization	LS	1	\$ 60,000.00	\$ 60,000.00														
2	2		Mediator	LS	1	\$ 10,000.00	\$ 10,000.00														
3	3		Traffic Control	LS	1	\$ 220,000.00	\$ 220,000.00														
4	4		Clearing and Grubbing	LS	1	\$ 30,000.00	\$ 30,000.00														
5	5		Dust Control Pollution Prevention	LS	1	\$ 2,500.00	\$ 2,500.00														
6	6		Storm Water Pollution Prevention	LS	1	\$ 5,000.00	\$ 5,000.00														
7	7		Concrete Sidewalk	SF	1500	\$ 25.00	\$ 37,500.00		Rebar	I	(1)	\$ 1,000.00		Y	\$ 1,000.00						
8	8		Concrete ADA Ramp	SF	420	\$ 50.00	\$ 21,000.00		Rebar	I	(1)	\$ 1,000.00		Y	\$ 1,000.00						
9	9		Curb and Gutter	LF	100	\$ 50.00	\$ 5,000.00		Rebar	I	(1)	\$ 1,000.00		Y	\$ 1,000.00						
10	10		AC Walk	SF	800	\$ 25.00	\$ 20,000.00														
11	11		Detectable Warning Device (AC walk)	SF	90	\$ 50.00	\$ 4,500.00		Manufactured Product	MP	(2)	\$ 1,000.00	N				\$ 1,000.00				
12	12		AC Plug	SF	180	\$ 25.00	\$ 4,500.00														
13	13		ITS Hub Cabinet	EA	1	\$ 75,000.00	\$ 75,000.00		Manufactured Product	MP	(2)	\$ 10,000.00					\$ 10,000.00				
14	13		(Child Item) 4" X4" #2 Wire Reinforcement-Conc. Pad	LS	1				Iron	I	(1)	\$ 300.00		Y	\$ 300.00						
15	13		(Child Item) Steel Cabinet	EA	1				Steel	S	(1)	\$ 10,000.00		Y		\$ 10,000.00					
16	13		(Child Item) Ground Rods	EA	2				Iron	I	(1)	\$ 50.00		Y	\$ 50.00						
17	14		12CT FO Cable	LF	810	\$ 12.00	\$ 9,720.00		Fiber Optic Cable	CM	(3)	\$ 5,000.00	N					\$ 5,000.00			
18	15		288CT FO Cable	LF	14,040	\$ 12.00	\$ 168,480.00		Fiber Optic Cable	CM	(3)	\$ 3,000.00	Y					\$ 3,000.00			\$ 83,000.00

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Other Changes to Buy America to Note

- Iron or steel used in precast concrete manufactured products or Intelligent Transportation Systems (ITS) and other electrical hardware systems must meet the requirements of Iron or Steel Products regardless of the amount used and manufactured products.

Examples,

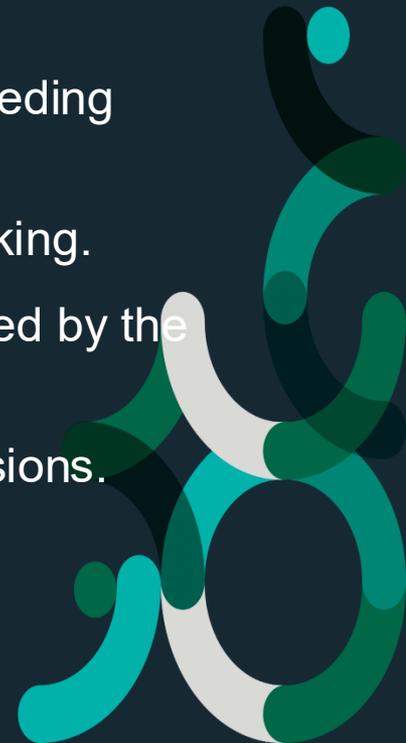
- sheet steel enclosures
 - controller cabinets
 - Closed circuit TV cameras
- Iron and steel used in other manufactured products must meet the requirements of section Iron or Steel Products if the cost of steel and iron components is 50 percent or more of the total cost of the manufactured product.





How will new requirements Impact LPAs?

- Review and update PS&E packages to include applicable revised Buy America provisions Required Federal-Aid Contact Language Exhibit 12-G or equivalent.
- Review Chapter 12 Section 12.8 Buy America, Chapter 16 Sections 16.4 & 16.11.1 of LAPM and Exhibit 12-D & 12-E.
- Track use of foreign material during construction to avoid exceeding thresholds.
- Use the De Minimis Cost spreadsheet tool for compliance tracking.
- Spreadsheet tool intended to be provided by LPA and completed by the contractor.
- Coordinate early with DLAE for product specific waiver discussions.





How this will Impact District Local Assistance?

- Review of LPA's PS&E packages.
- Assist LPAs with proper implementation of Small Grants Waiver if applicable for projects with less than \$500K (all phases).
- Ensure that LPAs properly fill out Exhibit 12-D Section 8 Buy America and incorporate the applicable sections of Exhibit 12-G Section 8 Buy America or equivalent as applicable to their projects.
- Work closely with HQ-OGO COEs when doing Construction Contract Compliance reviews to address agency compliance issues as they may arise.



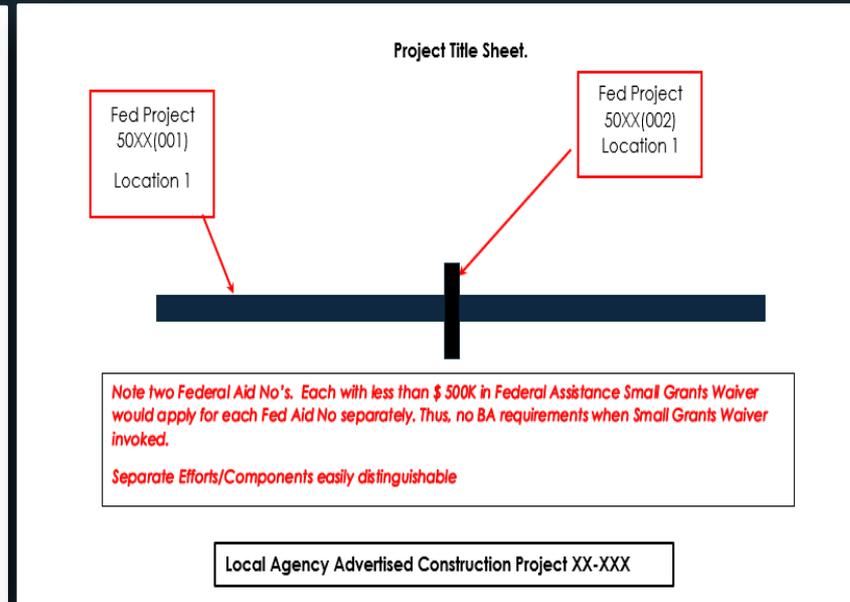
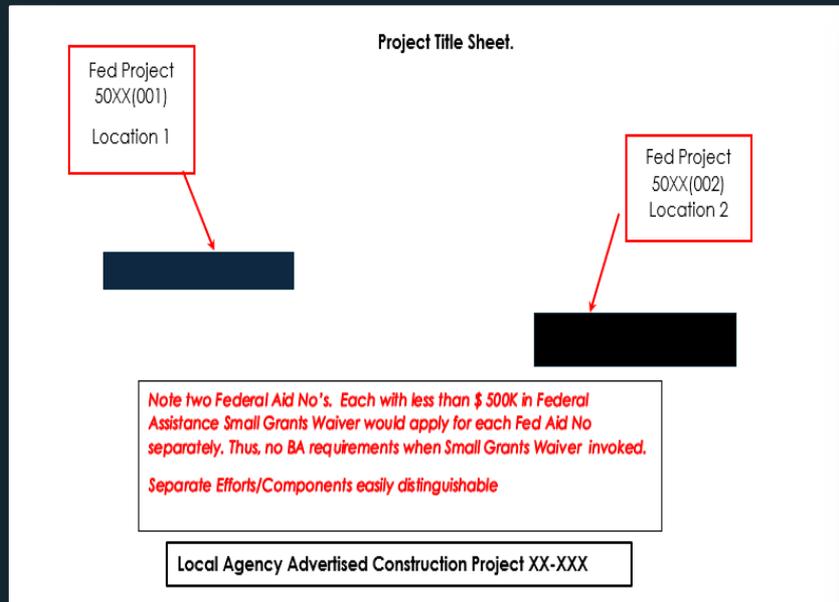
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FINAL NOTES on invoking SMALL GRANTS WAIVER

Two Federal Aid No's each with less than \$500K of Fed Assistance on one Advertise Contract .

Could Small Grants Waiver be invoked on the single advertised ?



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FINAL NOTES on invoking SMALL GRANTS WAIVER

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Project Title Sheet.

Fed Project 50XX(001)
Location 1

Fed Project 50XX(002)
Location 1

Note two Federal Aid No's. Each with less than \$ 500K in Federal Assistance. Project constructed in phases on one advertised project. Small Grants Waiver would not apply for each Fed Aid No. Project would be considered a cumulative effort.
Thus, BA requirements would apply
Separate Efforts/Components Not easily distinguishable

Local Agency Advertised Construction Project XX-XXX

Project Title Sheet.

Fed Project 50XX(001)
Location 1

Fed Project 50XX(002)
Location 2

Note two Federal Aid No's. Each with less than \$ 500K in Federal Assistance. Project constructed in phases on one advertised project. Small Grants Waiver would not apply for each Fed Aid No. Project would be considered a cumulative effort.
Thus, BA requirements would apply
Separate Efforts/Components Not easily distinguishable

Local Agency Advertised Construction Project XX-XXX



FINAL NOTES on invoking SMALL GRANTS WAIVER

Scenario:

What if an agency invokes Small Grants Waiver with \$ 499,999 of Federal Assistance and during the construction phase a participating CO pushes the Federal Assistance to \$ 500,000.

Would Buy America Requirements become retroactively applicable to the project?





Questions regarding this presentation, please contact:

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