

SECTION 00160 - SOURCE OF MATERIALS

(Follow all instructions. If there are no instructions above a subsection, paragraph, or sentence, then use the subsection, paragraph, or sentence on all projects. All other modifications to this Section will require Department of Justice approval. (See the Specification and Writing Style Manual, Chapter 3.) Remove all instructions before preparing the final document.)

Comply with Section 00160 of the Standard Specifications modified as follows:

00160.01(a) All Materials - Add the following paragraphs to the end of this subsection:

The Contractor shall identify if the material source is a DBE or non-DBE. For DBE suppliers, the Contractor shall identify an estimated value of the materials to be supplied. For any committed DBE supplier, the Contractor shall submit a copy of the materials purchase order or supply agreement. For non-committed DBE suppliers, when the estimated value is over \$10,000, the Contractor shall submit a copy of the materials purchase order or supply agreement.

For this purpose, a committed DBE firm is one that was identified by the Contractor to meet an assigned DBE goal including DBE firms substituting for DBE firms committed as a condition of contract award.

(Use the following subsection .20 when this contract is state funded and the work was considered and included in a NEPA decision that also applies to any other work that has any federal funding.)

00160.20 Preferences for Materials - Add the following paragraph to the beginning of this subsection:

Section 1518 of Moving Ahead for Progress in the 21st Century Act provides that Buy America applies to all Contracts eligible for federal assistance under Title 23, United States Code, included within the scope of an applicable National Environmental Policy Act (NEPA) finding, determination or decision, regardless of the funding source of such Contracts, where at least one Contract is funded with Title 23 funds. This Contract includes Title 23 funds under such a NEPA finding, determination or decision and Buy America applies to this Contract.

(Use the following subsection .30 when the Agency will furnish items or materials other than material from a borrow source - for example: poles, timbers, guardrail, etc. Give the location where the items/materials may be picked up. Delete parentheses and the words in parenthesis as needed. For aggregates and other similar materials, use 00160.40.)

00160.30 Agency-Furnished Material - Add the following to the end of this subsection:

The Agency will furnish the listed items at the (Project Site:) (following locations:)

(Use the following subsection .40 on projects for Agency-furnished material sources. Include SP235 when using this subsection.)

00160.40 Agency-Furnished Sources - Add the following paragraph after the paragraph that begins "The Agency may list in the...":

Agency-Furnished Sources for this Project are listed in Section 00235 of these Special Provisions.

(Use the following subsection .50(b) when manufacture or production of aggregate material is required from Agency-Controlled Lands.)

00160.50(b) Waste, Excess, and By-Product Materials - In the paragraph that begins "All waste, excess, and by-product...", replace the first sentence with the following sentence:

All waste, excess, and by-product materials, collectively referred to in this Subsection as "By-Products", from the manufacture or production of Aggregate Materials from Agency-Controlled Lands shall remain Agency property.