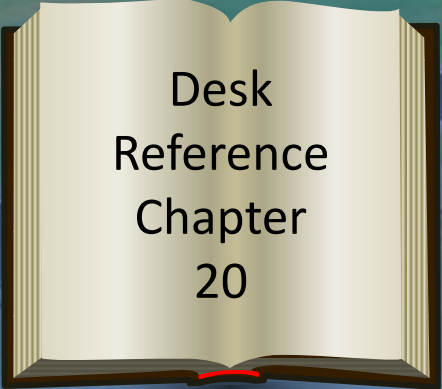


# FAA'S BUY AMERICAN PROGRAM

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Desk  
Reference  
Chapter  
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# OVERVIEW

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## General Terminology:

- **“Buy American”**
  - Airport Improvement Projects receiving FAA funding – 49 U.S.C. § 50101
- **“Buy America”**
  - USDOT EXCEPT FAA

# PROGRAM REQUIREMENTS

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- Buy American applies to:
  - Steel
  - Manufactured goods
- Used in:
  - Airport construction
  - Other airport improvement projects
- Resources available at:  
[http://www.faa.gov/airports/aip/buy\\_american/](http://www.faa.gov/airports/aip/buy_american/)

# PROGRAM REQUIREMENTS

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## **49 U.S.C. 50101. Buying goods produced in the United States:**

### **(a) Preference.**

- All steel incorporated into the project must be of US manufacture
- Manufactured goods incorporated into the project must have been assembled in the US

# PROGRAM REQUIREMENTS

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## 49 U.S.C. 50101. Buying goods produced in the United States:

### (b) Waiver.

- Public interest
- Insufficient quantity or quality

# PROGRAM REQUIREMENTS

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## 49 U.S.C. 50101. Buying goods produced in the United States:

### (b) Waiver, cont'd

(3) when procuring a facility or equipment—

(A) the cost of components and subcomponents produced in the United States is more than 60 percent of the cost of **all** components of the facility or equipment; **and**

(B) final assembly of the facility or equipment has occurred in the United States; or

(4) including domestic material will increase the cost of the **overall project** by more than 25 percent.

# PROGRAM REQUIREMENTS

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## Facility:

- Building
- Portion of a building
- Capital improvement, i.e., runway extension
- “Final assembly” is construction work

# PROGRAM REQUIREMENTS

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## Equipment:

- For non-facility projects, FAA Advisory Circular 5370-10 – bid items
- EXCEPT for airfield electrical equipment
  - "L-" items listed in the Addendum to FAA Advisory Circular 5345-53C
- Vehicle or single piece of equipment



# PROGRAM REQUIREMENTS

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**Components and subcomponents:**

Know your context!



# NATIONWIDE WAIVERS

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- No need to request waivers
- [http://www.faa.gov/airports/aip/buy\\_american/](http://www.faa.gov/airports/aip/buy_american/)

# TIPS

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- Determine: Facility or other type of project?
- Component/subcomponent analysis
- Avoid seeking waivers
- Nationwide conformance list
- Apply as early in project process as possible!
- Project management – carefully prepare bid documents
- Contact your Regional Office or ADO

# USDOT PROGRAM CHART

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**Side by side comparison of USDOT domestic preference programs:**

- <http://www.dot.gov/highlights/buyamerica>

# QUESTIONS?

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