

**BIDDER'S AMERICAN IRON AND STEEL CERTIFICATION**

I, the Bidder, \_\_\_\_\_, authorized representative of  
Contractor's Authorized Representative  
\_\_\_\_\_, hereby certify that I am aware of the requirement per Section  
Contractor  
436(a)-(f) of the Consolidated Appropriations Act of 2014, as amended, by which all applicable  
products made primarily out of iron and steel used in this project must be manufactured in the  
United States, and that the bid prepared for \_\_\_\_\_ has  
Project  
been prepared accordingly, as it is funded through the Clean Water State Revolving Fund (loan  
number ORF-\_\_\_\_-\_\_\_\_-CW). I, the Bidder, am aware that none of the funds appropriated or  
otherwise made available by the Consolidated Appropriation Act of 2014 (Appropriations Act)  
shall be used for the construction, alteration, maintenance, or repair of a treatment works unless  
all of the iron and steel products used in the project are produced in the United States. I, the  
Bidder, furthermore certify the following:

1. The bidder understands the term "iron and steel products" applies to the following materials made primarily of iron or steel, and used for the construction, alteration, maintenance, or repair of publicly owned treatment works; lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and other construction materials as defined by the U.S. Environmental Protection Agency (EPA). For additional guidance, visit [http://water.epa.gov/grants\\_funding/aisrequirement.cfm](http://water.epa.gov/grants_funding/aisrequirement.cfm)
2. The bidder further states that this requirement applies to all portions of the project that are subcontracted.
3. This "Bidder's American Iron and Steel Certification" is to be submitted by the bidder as part of its bid.
4. Iron and steel of unknown origin are considered to have been produced or manufactured outside the United States.

5. Consistent with the terms of the Owner's bid solicitation and the provisions of Use of American Iron and Steel Section 436, the bidder certifies that this bid reflects the bidder's best, good faith effort to identify domestic sources of iron and steel goods in the bid solicitation where such American-made goods are available on the schedule and consistent with the deadlines prescribed in or required by the bid solicitation.
6. The bidder certifies that all iron and steel products contained in the bid solicitation that are American-made have been so identified, and if this bid is accepted, the bidder agrees that it will provide reasonable, sufficient, and timely verification to the Owner of the U.S. production of each component so identified.
7. The bidder certifies that for any iron and steel products that are not American-made and are so identified in this bid, the bidder has included in or attached to this bid one or both of the following, as applicable:
  - a. Identification of and citation to a categorical waiver published by EPA in the Federal Register that is applicable to such component or components, and an analysis that supports its applicability to the component or components; If the Administrator of EPA receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Website of EPA.
  - b. Verifiable documentation sufficient to the Owner, as required in the bid solicitation or otherwise, that the bidder has sought to secure American-produced goods but has determined that such goods are not available on the schedule and consistent with the deadlines prescribed in the bid solicitation, with assurance adequate for the bidder under the applicable conditions stated in the bid solicitation or otherwise.
8. The bidder certifies that for any such product or products that are not so available, the bidder has also provided in or attached to this bid certification, including but not limited to the verifiable documentation and a full description of the bidder's efforts to secure any such American-produced iron and steel goods, that the bidder believes are sufficient to provide and as far as possible constitute the detailed justification required for a waiver under Use of American Iron and Steel with respect to such product or products.

9. If use of a non-compliant iron and/or steel product is permanently incorporated into a project, one or more of the following can occur:
- a. Request a waiver where appropriate.
  - b. Require the removal of the non-domestic item.
  - c. Payment withholding of all or part of the project.
10. The bidder further agrees that, if this bid is accepted, it will assist the Owner in amending, supplementing, or further supporting such information as required by the Owner to request and, as applicable, implement the terms of a waiver with respect to any such product or products. The EPA strongly recommends the use of a step certification, similar to the one used by the Federal Highway Administration. The final manufacturer can also certify that the manufacturing process occurred in the United States.

\_\_\_\_\_  
Contractor's Authorized Representative Signature

\_\_\_\_/\_\_\_\_/\_\_\_\_\_  
Date