Any utility work accomplished as a result of a federal-aid highway project is subject to the Buy America provisions included in MAP-21. Effective immediately, do the following:

1. Include the following stipulation in all Authority to Proceed (ATP) with Preliminary Engineering letters:

   "The utility agreement must include the stipulation that _______ Utility Name ______ will meet the Buy America requirements as set forth in 23 USC 313 and 23 CFR 635.410. The Department requires that (the) _______ Utility Name ____ final design and estimate include a definitive statement about the origins of all products incorporated into the relocation covered by the Buy America provisions."

2. Where a utility’s bid documents include the procurement of materials by a contractor, include the following stipulation in all letters approving a utility’s relocation bid documents or material purchase authorizations:

   "Note that the utility agreement must include the stipulation that _______ Utility Name ______ will meet the Buy America requirements as set forth in 23 USC 313 and 23 CFR 635.410. Therefore, the relocation bid package/material purchase documentation must include the requirement that all materials meet the Buy America provisions."


"Get Alaska Moving through service and infrastructure"
a) In Section VII. BILLINGS BY COMPANY, delete paragraph “C. Certification” in its entirety and replace with the following:

“C. Certification

“All billing shall contain the statements prepared on the Company’s letterhead as follows:

1) “The utility hereby certifies that the attached Billing No. _____ (Partial or Final) is a true and just statement of costs incurred by our Company in adjusting or relocating our facilities on the above referenced project during the period from _______________ to ________________, and that payment has not been received.

2) “The utility hereby certifies that the attached billing No. _____ (Partial or Final) complies with the Buy America provisions set forth in 23 USC 313 and 23 CFR 645.410.”

These requirements apply regardless of the presence or absence of federal funding for the actual utility work. Any utility relocation agreements executed because of a current or future federal-aid highway project are subject to Buy America provisions.

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