

BUY AMERICAN CERTIFICATION

CITY PLAN NO. 2009-PW0014-S OZONE DISINFECTION SYSTEM IMPROVEMENTS SECTION __ WORK

Section 1605 of the American Recovery and Reinvestment Act states that:

“None of the funds appropriated or otherwise made available by this Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.”

To meet this requirement, the undersigned hereby certifies that all of the material, equipment and accessories which are to be incorporated into the above referenced project to be partially funded by monies from the American Recovery and Reinvestment Act, has been manufactured from domestic construction material as defined by 40 CFR 35.936-13(D).

APPROVED SUPPORTING DOCUMENTATION INCLUDED WITH THIS CERTIFICATION

This certificate applies to the specific materials, equipment, manufactured goods, and accessories furnished by the manufacturer named below, and itemized on the attached materials list, together with the country of origin for each item.

SUSTANTIAL TRANSFORMATION

ARRA places on the City of Springfield, Missouri the obligation to establish whether a manufactured good was produced in the U.S. The manufacturer of manufactured goods shall answer the following questions to determine whether a manufactured good to be incorporated into the project was manufactured in America. These questions all focus on processing work on and assembly/integration of the components in to a finished good. Design, planning, procurement, component production, or any other step prior to the process of physically working on and bringing together the components into the item used in and incorporated into the project cannot constitute or be a part of transformation.

Substantial transformation has occurred in the U.S. if the answer is yes to either of the following questions - Questions 1, 2, or 3. If the answer to Question 1 is yes, then this is clearly manufactured in the U.S., and the inquiry is complete. If the answer is yes for any of 2a, 2b, or 2c, then answer to Question 2 is yes. If the answer is yes for at least two of 3a, 3b, 3c, 3d, or 3e, then answer to Question 3 is yes. However, if the manufacturer cannot answer any of the following in the affirmative, the Contractor must either find an alternative U.S.-made good if possible, or seek a waiver from the Buy American provisions, if applicable. **“Yes” answers must in all cases be documented by meaningful, informative, and specific technical descriptions of the activities in the actual process asked about in each question.** These descriptions must be sufficiently detailed and written to inform the City of Springfield about the activities that have occurred in the process(es), enough to understand their nature and purpose. **Simple “yes” answers are always entirely insufficient to make a case that an item has been substantially transformed in the U.S.**

Questions for Determining Whether
Substantial Transformation Has Occurred in the U.S.

QUESTION	YES	NO
1. Were all of the components of the manufactured good manufactured in the United States, and were all of the components assembled into the final product in the U.S.? (If the answer is yes, then this is clearly manufactured in the U.S., and the inquiry is complete)		
2. Was there a change in character or use of the good or the components in America? (These questions are asked about the finished good as a whole, not about each individual component)		
a. Was there a change in the physical and/or chemical properties or characteristics designed to alter the functionality of the good?		
b. Did the manufacturing or processing operation result in a change of a product(s) with one use into a product with a different use?		
c. Did the manufacturing or processing operation result in the narrowing of the range of possible uses of a multi-use product?		
3. Was (/were) the process(es) performed in the U.S. (including but not limited to assembly) complex and meaningful?		
a. Did the process(es) take a substantial amount of time?		
b. Was (/were) the process(es) costly?		
c. Did the process(es) require particular high level skills?		
d. Did the process(es) require a number of different operations?		
e. Was substantial value added in the process(es)?		

Name of Manufacturer/Material Supplier

Date

Signature of Manufacturer's/Material Supplier's Authorized Official

Name of Contractor

Date

Signature of Contractor's Authorized Official