

1.0 DE MINIMIS COST WAIVER REQUEST WORKSHEET

Instructions: This form is to be completed by the Contractor and submitted to the Local Agency Resident Engineer early in the project to be considered for approval. Fill out the grey shaded cells and check all boxes under Categories that apply to this request.

Local Public Agency:	Anytown USA
Local Agency Proj. No.	3235
Federal Contract No.	5000(039)
Project Name	Midtown Adaptive ITS Upgrades
Project Description	Adaptive ITS Upgrades at Multiple Locations
Project Location	1 mile east of H Ave. to 0.25 west of A St.
Prime Contractor:	Contractor A
Contract Award Amt.	\$ 1,620,200.00
Agency Furnish Material	\$ 70,000.00
Request Iteration	7th
Comments:	If iteration is more than 1st give reason such as CO # or resubmittal, etc..
CO Amount (if applicable)	\$ 20,780.00

With respect to exceptions for products made in the United States, our company elects to request a De Minimis Waiver for the following material types per Contract Specifications:

Category (1) Iron or Steel Products

☒ Check Box Iron

☒ Check Box Steel

Category (2) Manufactured Products

☒ Check Box Manufactured Products

Category (3) Construction Materials

☒ Check Box Non-ferrous metals

☒ Check Box Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables)

☐ Check Box Glass (including optic glass)

☒ Check Box Fiber optic cable (including drop cable)

☒ Check Box Optical fiber

☒ Check Box Lumber

☐ Check Box Engineered wood

☐ Check Box Drywall

Prime Contractor Representative (Name)

John Doe

Prime Contractor Representative (Signature)

Electronically Signed

Date

1/21/2026

Local Public Agency: Resident Engineer

Jane Doe

Distribution:

Prime Contractor, RE, Project Files

Last Revised on 1/21/2026

2.0 AGENCY FURNISHED MATERIAL WORKSHEET

Instructions: Enter Agency Furnished Materials subject to Buy America below
This form is to be completed by the Prime Contractor or the Local Agency prior to completing the remaining worksheets.
This form must also be updated by the Prime Contractor if a CO involves additional agency furnished material.

Note: If there are no Agency Furnished Materials on the project do not enter any data. This from can be left blank.

For Agency Furnished Material(s)/Items

1. Columns A-G: Enter pay item No., Description, Unit, Qty, Unit Price and Amount for the project in the grey shaded cells.

Once data is entered the cells will automatically be shaded yellow.

2. Column H: Select from pull down the **Material Type:** I: Iron, S: Steel, MP: Manufactured Product, CM: Construction Materials.

Column I: Will automatically populate based entry in **Column I** as (1) for **Iron**, (1) for **Steel**, (2) for **Manufactured Product**, and (3) for **Construction Materials**.

3. Column J: Enter the Applicable Material Cost (including transportation) subject to Buy America. Must be accompanied by Buy America Certificate of Compliance and Mill Test Reports for Iron or Steel Products and be placed in the project files.

Note: If the cost of Iron or Steel of a product is greater than 50% of a the cost of a product then the product would fall into Iron or Steel category and not a Manufactured Product.

Exception: Products such precast products and ITS or other electrical hardware systems must meet the requirements of both Iron or Steel and Manufactured Products regardless of the amount of Iron or Steel used in the product.

4. Columns L-O: Will automatically populate based on data entered in **Columns H & J.**

[illegible][illegible]

3.0 DE MINIMIS COST WAIVER CALCULATION WORKSHEET

Instructions: This form is to be completed by the Contractor and submitted to the RE early in the project to be considered for approval
Note: All supporting documentation for each Pay Item and Change Orders with materials subject to Buy America requirements must be sent with this with this request to be considered for approval. i.e. invoices for the materials including cost of transportation to the project location.

For Contract Pay Items:

1. Columns B & D-H: Enter the contract pay item No., Description, Unit, Qty, Unit Price and Amount for the project in the grey shaded cells.

For (Child Items) of Contract Pay Items (Parent Items)

In the case of Pay Items that have more than one category of Buy America material applicable to them, use additional rows with a description of the type of the applicable material and note (Child Items)
Examples of Child Items are typically associated with Signal Modification Items, Precast Concrete Items (Iron or Steel and Manufactured Products) Intelligent Transportation Systems (ITS) and other electrical hardware systems and some LS Items.
Note: If the cost of Iron or Steel of a product is greater than 50% of a the cost of a product then the product would fall into Iron or Steel category and not a Manufactured Product.
Exception: Products such precast products and ITS or other electrical hardware systems must meet the requirements of both Iron or Steel and Manufactured Products regardless of the amount of Iron or Steel used in the product.
Columns B & D-F: Data must be entered, but **Columns G & H** should be left blank/grey in the case of Child Items.

2. Manually delineate/shade line items subject to Buy America (Columns B & D-H) for Pay Items and (Columns B & D-F) for Child Items with yellow background color.
If a Pay Item has no material subject to Buy America then do not manually delineate/shade (Columns B & D-H). Leave blank/grey.
Examples of such Pay Items that typically don't have Buy America Materials: Mobilization, Water Pollution Control Plan, Traffic Control, Clearing and Grubbing, etc. Columns I-W, should all be left blank in that case. Similarly for Change Orders with no Buy America Materials, Columns J-W should all be left blank.

3. Column J: Enter the Buy America applicable Material Description for the Contract Pay Items or Change Orders with materials subject to Buy America requirements in this column.
Use short/clear descriptions, Examples: Rebar, Iron, Steel, Manufactured Product, Fiber Optic Cabel, Glass Beads, Thermoplastic Material, Traffic Paint, Aluminum Sign Panel, PVC Material, etc.
For Pay Items with multiple Child Items that fall into multiple categories enter "Multiple Categories" in the cell for the Parent Item and enter a Material Description for the subsequent Child Items.

4. Column K: Select from pull down the Material Type: I: Iron, S: Steel, MP: Manufactured Product, CM: Construction Materials.
If the pay item does not have any material subject to Buy America then leave blank/grey.
Cells in Column K will automatically shade yellow when a selection is made.
Cells in Column L: will automatically populate based on entry in Column K as (1) for Iron, (1) for Steel, (2) for Manufactured Product, and (3) for Construction Materials and will automatically shade yellow.

5. Column M: Enter the Applicable Material Cost (including transportation) subject to Buy America. These must be accompanied by Invoices including the cost of transportation to the project location.
If a Pay Item does not have any material subject to Buy America then leave blank/grey.
Cells in Column M will automatically shade yellow when a value is entered.
5% Threshold value for Non-Compliant Manufactured Products and Construction Materials are calculated at the bottom of the page.
Per De Minimis guidance for Manufactured Products and Construction Materials, the lesser of \$1,000,000.00 or 5% of Total Applicable Material Costs can be foreign made materials.

6. Column N: Select from pull down (Y) or (N) if Manufactured Products or Construction Materials are accompanied by a Buy America Certificates of Compliance.
Note: The (N) entries are used in subsequent calculations to check if the 5% threshold is exceeded and by how much. If (N) is entered then the cell will automatically shade yellow for record keeping.

7. Column O: Select from pull down (Y) or (N) if Iron or Steel Products are accompanied by Buy American Certificates of Compliance and Mill Certificates.
Note: The selection made is used for record keeping and the selection made is used in the De Minimis calculations for Iron and Steel Products.
0.1 of percent of the Contact Amount is calculated at the bottom of the page.
Per De Minimis guidance for Iron or Steel Products, the greater of \$2,500 or 0.1 % of Total Contract Amount including Change Orders will be calculated.
If (N) is entered then the cell will automatically shade yellow and the value entered in in Column M will populate in the Category Table I or S to be used in the De Minimis Calculations for Iron or Steel Products.

For Change Orders: List all Change Orders and any additional applicable Buy America materials below the previously entered bid applicable bid item materials.

A. Columns C & D-H: Enter pay CO No., Description, Unit, Qty, Unit Price and Change Order Amount for the project
B. Repeat steps 2-7 above and new De Minimis Waiver Amount will be recalculated.
C. If a Change Order involves no applicable Buy America Materials the cost of the Change Order must still be accounted for whether there is an increase or decrease in the project amount.
Enter the Change Order information Columns C & D-H. If No Buy America Materials associated with the Change Order then in Column D Instead of Pay Item (Child Item)/CO (Materials) Descriptions enter " No Buy America Materials this CO (State Reason for CO)"
Reason Examples (R/W Delay), (Additional Flagging), (Additional Temporary Signs), etc.

CONTRACT (PAY ITEM/CO) LIST TABLE														
No.	Pay Item No.	CO No.	Pay Item (Child Item)/CO (Materials) Descriptions	Unit	Quantity	Unit Price Item	Amount (Pay Items)	CO Amount	Material Description (Examples: Rebar, PVC Pipe, Iron Grate, Glass Beads, Thermo/Paint, Wood Posts, or Manufactured Product, etc.)	Material Type I, S, MP, CM	Category Type (1,2,3)	Applicable Material Costs (including transportation) (Amount(s))	Manufactured Product (MP) or Construction Material (CM) (BA-Cert) (Y/N)	Iron (I) or Steel (S) (BA/Mill Cert) (Y/N)
1	1		Mobilization	LS	1	\$ 60,000.00	\$ 60,000.00							
2	2		Mediator	LS	1	\$ 10,000.00	\$ 10,000.00							
3	3		Traffic Control	LS	1	\$ 220,000.00	\$ 220,000.00							
4	4		Clearing and Grubbing	LS	1	\$ 30,000.00	\$ 30,000.00							
5	5		Dust Control Pollution Prevention	LS	1	\$ 2,500.00	\$ 2,500.00							
6	6		Storm Water Pollution Prevention	LS	1	\$ 5,000.00	\$ 5,000.00							
7	7		Concrete Sidewalk	SF	1,500	\$ 25.00	\$ 37,500.00		Rebar	I	(1)	\$ 1,000.00		Y
8	8		Concrete ADA Ramp	SF	420	\$ 50.00	\$ 21,000.00		Rebar	I	(1)	\$ 1,000.00		Y
9	9		Curb and Gutter	LF	100	\$ 50.00	\$ 5,000.00		Rebar	I	(1)	\$ 1,000.00		Y
10	10		AC Walk	SF	800	\$ 25.00	\$ 20,000.00							
11	11		Detectable Warning Device (AC walk)	SF	90	\$ 50.00	\$ 4,500.00		Manufactured Product	MP	(2)	\$ 1,000.00	N	

Cells in these tables are Pre-Populated based on values entered in the Contract (Pay Item/CO) List Table				
CATEGORY TABLE I, S, CM, MP				CATEGORY TABLE I or S
I	S	MP	CM	I or S
\$ 1,000.00				
\$ 1,000.00				
\$ 1,000.00				
		\$ 1,000.00		

106		1	(Child Item) New Drainage Inlet (Precast)/Rebar	LS	1				Rebar	I	(1)	\$ 125.00		Y
107		2	Increase Detectable Warning Device (AC walk)	SF	20	\$ 50.00		\$ 5,000.00	Manufactured Product	MP	(2)	\$ 250.00	Y	
108		3	(Child Item) Midwest Guardrail System (Steel Post)	LF	150	\$ 15.00		\$ 5,780.00	Steel Beams/Post/Hardware	S	(1)	\$ 2,250.00		Y
109		3	(Child Item) Midwest Guardrail System (Steel Post)	EA	13	\$ 10.00			Plastic Blocks	CM	(3)	\$ 130.00	Y	
110		3	(Child Item) End Achor Assembly (Type SFT-M, Wood Post)	EA	1	\$ 200.00			Steel Post/Hardware	S	(1)	\$ 200.00		Y
111		3	(Child Item) End Achor Assembly (Type SFT-M, Wood Post)	EA	1	\$ 200.00			Wood Posts	CM	(3)	\$ 200.00	Y	
112		4	No Buy America Materials this CO (R/W Delay)		1			\$ 10,000.00						
113		5	No Buy America Materials this CO (Additional Temp Signs)					\$ 2,500.00						
114		6	No Buy America Materials this CO (Additional Flagging)					\$ 5,000.00						

Total Contract Bid	Total CO Cost
Item Cost	
\$ 1,620,200.00	\$ 35,280.00

SUMMARY (Counts)	
Applicable Material Category Count	Count
(1) Iron or Steel	38
(2) Manufactured Products	51
(3) Construction Materials	6
Total	95

SUMMARY (Values)	
Total Applicable Project Cost (Bid Items) + (COs)	\$ 289,457.50
Agency Furnished Material (AFM) Total	\$ 70,000.00
Total Applicable Project Cost (TA) Adjusted for AFM	\$ 359,457.50
Total Manufactured Product+Construction Materials (MP+CM)	\$ 256,690.00
Total (NC) Calculated Waiver for (MP+CM)	\$ 17,972.88
Total Manufactured Product+Construction Materials (MP+CM) No BA Certs	\$ 8,080.00
Total Iron or Steel products (I+S)	\$ 32,767.50
Total Calculated Waiver for (I or S)	\$ 2,500.00
Total Iron or Steel products (I+S) No BA Certs	\$ 1,400.00

DE MINIMIS CALCULATIONS & RESULTS

De Minimis Waiver Calculation Construction Materials & Manufactured Products

Lesser of (X) 5% = NC/TA or \$1,000,000

(X) 5% = (NC) Total value of Non-Compliant manufactured products

and construction materials /(TA) Total Applicable project costs (I+S+MP+CM+AFM)

(NC) Calculated Waiver for (MP+CM)

\$ 17,972.88 5.00%

Value of (NC) Materials (MP+CM) with No BA Cert

\$ 8,080.00 Value of Non-Compliant (MP+CM) is below allowable threshold of 5%.

De Minimis Waiver Calculation Iron or Steel products

0.1 % of contract cost at award or \$2,500 (whichever is greater)

Calculated Waiver for (I or S)

\$ 2,500.00

Value of (I or S) with No BA Cert

\$ 1,400.00 Value of Non-Compliant (I or S) is below the allowable threshold of the greater of .01% of Contract Amount or \$ 2,500

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\$ 125.00			
		\$ 250.00	
	\$ 2,250.00		
			\$ 130.00
	\$ 200.00		
			\$ 200.00

	I	S	MP	CM
BI	\$ 6,017.50	\$ 26,750.00	\$ 165,360.00	\$ 91,330.00
AFM	\$ -	\$ -	\$ 70,000.00	\$ -

	I	S
\$	-	\$ 1,400.00

4.0 DE MINIMIS COST WAIVER RESULTS WORKSHEET

Instructions: This form will be populated by data entered in sheets 1.0 to 3.0

Local Public Agency:	Anytown USA
Local Agency Proj. No.	3235
Federal Contract No.	5000(039)
Project Name	Midtown Adaptive ITS Upgrades
Project Description	Adaptive ITS Upgrades at Multiple Locations
Project Location	1 mile east of H Ave. to 0.25 west of A St.
Prime Contractor:	Contractor A
Contract Award Amt.	\$ 1,620,200.00
Agency Furnish Material	\$ 70,000.00
Request Iteration	7th
Comments:	If iteration is more than 1st give reason such as CO # or resubmittal, etc..
CO Amount (if applicable)	\$ 20,780.00

With respect to exceptions for products made in the United States, our company elects to request a De Minimis Waiver for the following material types per Contract Specifications:

Materials	Counts
Category (1) Iron or Steel Products	38
Category (2) Manufactured Products	51
Category (3) Construction Materials	6
Total Applicable Material Entries	95

Original Contract Amount	\$ 1,620,200.00
No. of Change Orders to Date	6
No. of Change Orders to Date (Buy America)	3
Total CO Amount	\$ 35,280.00

Calculated De Minimis Amount NC (MP+CM)	\$ 17,972.88	Actual De Minimis Value NC (MP+CM)	\$ 8,080.00
Calculated De Minimis Amount I + S	\$ 2,500.00	Actual De Minimis Value NC (I + S)	\$ 1,400.00

De Minimis Cost Waiver Run Log

Run Reason	Run Amount (\$)	
	Manufactured Product & Construction Materials	Iron or Steel
Initial Request, CO, etc.. (Description)		Date
1. Initial -Request	\$ 276,802.50	\$ 22,692.50 11/20/2025
2. CO#1 New Drainage Inlet	\$ 2,000.00	\$ 1,250.00 11/29/2025
3. CO#2 Increase Detectable Warning Device	\$ 250.00	12/5/2025
4. CO#3 Guardrail Upgrades	\$ 330.00	\$ 2,450.00 12/18/2025
5. CO#4 No BA (R/W Delay)	\$ -	\$ - 1/6/2026
6. CO#5 No BA (Add. Temp Signs)	\$ -	\$ - 1/10/2026
7. CO#6 No. BA (Add Flagging)	\$ -	\$ - 1/15/2026
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Prime Contractor Representative	John Doe	Date	1/25/2026
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Local Public Agency: Resident Engineer	Jane Doe
Distribution:	Prime Contractor, RE, Project Files

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