

Attachment 6 to RFP

BUY AMERICA CERTIFICATION

Directions to Bidder: This form must be completed, signed, and submitted with your proposal. Failure to submit this executed certification with your bid on or before the bid proposal due date specified in the Request for proposals shall render the proposal non-responsive and result in immediate disqualification. Inflation Reduction Act 2022 – Domestic Content:

Definitions: Unless otherwise specified in this contract, goods and equipment acquired hereunder shall be of the growth and manufacture of the United States, provided such goods and equipment, as measured by manufactured cost of components, can be procured upon as good terms as to quality and price as are demanded for like items of foreign growth and manufacture. As used in this clause per Notice 2023-38, the following definitions apply: 1. “Applicable Project Component” means any article, material, or supply, whether manufactured or unmanufactured, that is directly incorporated into an Applicable Project. An Applicable Project Component may qualify as steel, iron, or a Manufactured Product. 2. “Manufactured Product” means an item produced as a result of the manufacturing process. 3. “Manufactured Product Component” means any article, material, or supply, whether manufactured or unmanufactured, that is directly incorporated into an Applicable Project Component that is a Manufactured Product.

The Steel or Iron Requirement applies to Applicable Project Components that are construction materials made primarily of steel or iron and are structural in function. The Steel or Iron Requirement does not apply to steel or iron used in Manufactured Product Components or subcomponents of Manufactured Product Components. For example, items such as nuts, bolts, screws, washers, cabinets, covers, shelves, clamps, fittings, sleeves, adapters, tie wire, spacers, door hinges, and similar items that are made primarily of steel or iron but are not structural in function are not subject to the Steel or Iron Requirement.

Primary steel documentation: Unless otherwise specified in this contract, suppliers, manufacturers, and other supply chain partners providing Primary Steel otherwise referred to as Structural Steel will provide the buyer with a written statement documenting the primary steel manufactured country of origin.

Data security and information confidentiality: The documentation and information requested supporting manufactured costs and domestic content status may be considered confidential. Respecting that need, the Southeast Alaska Power Agency (SEAPA), or its consultant, will provide secure data room services controlling access to confidential information and restricting its use to Domestic Content compliance reporting. The documentation provided will never be shared with the buyer or contractor.

CERTIFICATE OF COMPLIANCE WITH 49 U.S.C. 5323(J)(1) AND 49 CFR PART 661

The bidder hereby certifies that it will comply with the requirements of 49 U.S.C. 5323(j)(1), and the applicable regulations in 49 CFR Part 661, for the Southeast Alaska Power Agency’s (SEAPA) Tyee Lake Third Turbine Construction Project.

By signing below, the Contractor explicitly warrants and certifies that:

1. **100% Domestic Manufacturing:** All structural steel, iron, and manufactured products components procured, fabricated, or permanently incorporated into the powerhouse framework for this project shall be 100% manufactured, produced, and milled in the United States of America.

2. **Traceability & Documentation:** The Contractor shall maintain and provide clear, unbroken chains of custody and Mill Test Reports (MTRs) for all applicable steel and iron items prior to installation.
3. **Flow-Down Requirements:** The Contractor shall flow down these exact domestic content and manufacturing provisions to all subcontractors, fabricators, and material suppliers utilized under this contract.

Bidder/Company Name: _____

Authorized Representative Name: _____

Title: _____

Signature: _____

Date: _____