

DAS Directive

Directive No. **GS-D-07**
Effective Date: **09-01-2009**



To: All State of Ohio Departments, Offices, Agencies, Commissions, Boards, Bureaus, Institutions, Universities and Colleges

From: Hugh Quill, *Director of Administrative Services*

Title: Policies Regarding the Required Use of Domestic Steel

PURPOSE

The purpose of this directive is to provide clarification and establish criteria regarding the required use of domestic "steel products...used for load-bearing structural purposes" on certain construction projects supported in whole or in part by state capital funds.

GENERAL

Revised Code Sec. 153.011 (A) provides, in part:

(A) except as provided in division (D) of this section, "...whenever any building or structure, including highway improvements, in whole or in part supported by state capital funds, including moneys from the education facilities trust fund, is to be erected or constructed, or whenever additions, alterations, or structural or other improvements are to be made, if any steel products are to be purchased for or provided in the construction, repair, or improvement project, only steel products defined in division (F) of this section shall be purchased for or provided in the project" for that purpose with some exceptions.

POLICY STATEMENT AND IMPLEMENTATION

All projects funded in whole or in part with state capital funds and administered by or for this Department, or projects approved by this Department for local administration by other entities, shall conform to the requirements of this directive, unless a waiver is granted in writing and signed and dated by the Director of this Department or by the person designated by the Director prior to advertising for construction bidding.

This directive is not required to be used, but may be used, for projects funded by sources other than state capital funds.

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DOCUMENT MODIFICATIONS

1. Modifications are required on all Associate Architect, Engineer, and Construction Manager Contracts.

All contracts or agreements with entities that design or specify structural steel, or manage such responsibilities, shall include language requiring compliance with this directive and with Section 153.011 of the Ohio Revised Code. Appropriate open contracts, as determined by the Director or the Director's designee, shall be amended as soon as practical to incorporate such language.

2. Notices Required.

The Notice to Bidders, the Public Bid Advertisement, and each appropriate technical specification section related to or discussing in any material manner, the metals used on the project, including but not limited to those sections dealing with structural metal framing and space frame systems, shall include the following notice in capital letters and bolded, as required by the statute:

DOMESTIC STEEL USE REQUIREMENTS AS SPECIFIED IN SECTION 153.011 OF THE REVISED CODE APPLY TO THIS PROJECT. COPIES OF SECTION 153.011 CAN BE OBTAINED FROM ANY OF THE OFFICES OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES.

3. Certifications Required

The appropriate technical specification sections shall require that the following certifications be placed on the front cover of, or on the initial sheet of each steel fabrication shop drawing for every applicable project, and that each certification be signed and dated by an official authorized by the company prior to beginning of fabrication:

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Steel Fabricator Certification

The steel fabricator identified below certifies that for this project all load-bearing structural steel (as defined by the State of Ohio Department of Administrative Services, Directive Number _____, dated _____, has been fabricated or produced, to the best of its knowledge, only from steel made in the United States in accordance with Sections 153.011 and 153.99, of the Ohio Revised Code (ORC). Further, the steel fabricator hereby certifies that it has read and understands that a monetary penalty for violations may be imposed under the authority of the referenced sections of the ORC.

[Printed or Typed Name of Fabrication Company]
by
[Printed or Typed Name of Company Official]

Signature of Company Official Date

* * * * *

Contractor Certification

The Contractor identified below certifies that it has required as a condition of purchase, that for this project all load-bearing structural steel (as defined by the State of Ohio Department of Administrative Services, Directive Number _____, dated _____, shall be fabricated and produced using, to the best of its knowledge, only steel made in the United States in accordance with Sections 153.011 and 153.99 of the Ohio Revised Code (ORC). Further, the Contractor certifies that it has read and understands that a monetary penalty for violations may be imposed under the authority of the referenced sections of the ORC.

[Printed or Typed Contractor Company Name]
By
[Printed or Typed Name and Title of Contractor Company Official]

Signature of Contractor Official Date



LOAD BEARING STRUCTURAL STEEL – ADOPTED AND QUALIFIED DEFINITION.

1. Definition and clarification.

For the purposes of this directive, the following definition and clarification shall be applied:

- a. Steel products...used for load-bearing structural purposes shall be defined as "structural steel", per the American Institute of Steel Construction, Inc. (AISC) definition in its Manual of Steel Construction, latest edition, and are thereby required to be produced and fabricated only from steel made in the United States.
- b. For clarification purposes the 9th edition of the Manual of Steel Construction, lists the following as structural steel, (and is subject to change):

anchor bolts for structural steel; base or bearing plates; beams, girders, purlins & girts; bearings of steel for girders, trusses or bridges; bracing; columns & posts; connecting materials for framing structural steel to structural steel; crane rails, splices, stops, bolts and clamps; door frames constituting part of the steel frame; expansion joints connected to steel frame; fasteners for connecting structural steel items including shop rivets, permanent shop bolts, shop bolts for shipment, field rivets & bolts for permanent connections, and permanent pins; floor plates (checkered or plain) attached to steel frame; grillage beams & girders; hangers essential to the structural steel frame; leveling plates, wedges, shims & leveling screws; lintels, if attached to the structural steel frame; marquee or canopy framing; machinery foundations of rolled steel sections and/or plate attached to the structural frame; monorail elements of standard structural shapes when attached to the structural frame; roof frames of standard structural shapes; shear connectors-if specified shop attached; struts, tie rods & sag rods forming part of the structural frame; and trusses.

- c. For the purposes of this directive, DAS also defines the following as load-bearing structural steel:

all structural steel shapes including, but not limited to "W", "M", "S", "HP", "C", "MC", and "L" shapes (as defined by AISC); structural steel pipe and structural tubes of any dimension, thickness and length; structural tees cut from other shapes, all composite steel beams or columns made from a combination of structural steel shapes, and all steel plates used for stiffening structural steel shapes and as base plates.

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CERTAIN STEEL PRODUCTS **NOT** CONSIDERED LOAD BEARING AND **NOT** REQUIRED TO BE DOMESTIC STEEL.

1. Definition and clarification of products **NOT** considered load-bearing.

For the purposes of this directive, the following definitions and clarifications shall apply:

- a. Non-load bearing steel products shall be defined as those items **NOT** defined as "structural steel" by the American Institute of Steel Construction, Inc. (AISC) in its *Manual of Steel Construction*, latest edition, even when such items are shown on the structural steel plans or are attached to the structural frame.
- b. Items defined by this directive as non-load bearing shall **NOT** be required to be produced or fabricated from steel produced in the United States.
- c. The 9th edition of the *Manual of Steel Construction*, lists the following as **NOT** structural steel (and is subject to change):

cables for permanent bracing or suspension systems, chutes and hoppers, cold-formed steel products, door and corner guards, embedded steel parts in precast or poured concrete, flagpole support steel, floor plates (checkered or plain) not attached to the steel frame, grating and metal deck, items required for the assembly or erection of materials supplied by trades other than structural steel fabricators or erectors, ladders & safety cages, lintels over wall recesses, non steel bearings, open-web long-span joists and joist girders, ornamental metal framing, shear connectors field installed, stacks, tanks, and pressure vessels, stairs, catwalks, handrail & toeplates, and trench or pit covers.

- d. For the purposes of this directive, DAS also defines the following as **NOT** structural steel, including but not limited to:

reinforcing steel of plain or deformed rods of any size, metal grids for suspended ceiling systems, ornamental steel, architectural metal, framing members fabricated from sheet-gauge steel, steel handrails, open-web joists of any length, siding and roofing panels, steel stair treads, tread pans and tread risers, enclosures for mechanical equipment, electrical equipment and conveying systems, (including the platforms for and supporting frames, rails, and thresholds for elevators, escalators, lifts, hoists and stage lifts for theatres); pipe used for transporting liquids, gases, and solids and the associated pipe hangers.

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ENFORCEMENT

1. Revised Code, Sec. 153.99 (A) allows for the assessment of "...a civil penalty equal to one and one-half times the purchase price of the steel products purchased or provided...".

For the purposes of this directive, the aforementioned "purchase price" shall be interpreted as that price indicated on invoices issued by a selling entity to a purchasing entity for products purchased or provided.

2. Sec. 153.011 (C) states, in part: "Whenever the Director of Administrative Services has reasonable cause to believe that any person has purchased or provided steel products in violation...the Director shall conduct an investigation...".

For the purposes of this directive, the Director may delegate such investigations to the Office of the State Architect who may delegate to another entity or entities as deemed appropriate. The investigation may access construction and office sites, work in progress and materials stored on-site or off-site and may investigate any and all written and electronic records associated with a project.

3. All construction documents prepared for projects effected by this directive shall include provisions for the monitoring of those projects for potential violations and shall provide for appropriate reporting to the Office of the State Architect of any observed or suspected violations.

AUTHORITY & REFERENCE

ORC 153.011
ORC 153.99