



"Buy America" Act Summary

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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"Buy America" Act Summary

Reference Number: MTAS-2039

Municipalities may not buy any materials used for highway or roadway construction, re-surfacing, or maintenance from any:

- Foreign government,
- Company wholly owned or controlled by a foreign government, or
- Agency of such foreign government or company.

Materials include, but are not limited to, asphalt cement, asphalt emulsion, rock, aggregate, liquid and solid additives, sealers, and oils.

This statute does not apply if materials made by American companies are considered in unsatisfactory quality, found unavailable in sufficient quantity, or priced at an amount that will increase the overall project cost by 5% more than the overall project costs using materials produced by foreign companies.

The T.C.A. citation for this topic is T.C.A. § 54-5-135.

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Source URL (retrieved on 07/09/2020 - 4:54am): <https://www.mtas.tennessee.edu/reference/buy-america-act-summary>



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