



January 1, 2024

RE **BAA – Buy American Act Compliance**

To Whom It May Concern:

As outlined in FAR Subpart 25.2, the following definitions establish the requirements for procuring construction materials for federally funded projects. All products supplied must qualify as "Domestic End Products" and be manufactured in the United States. These products fall into two categories:

1. Products Comprised of 65% U.S. Components: These products must consist of at least 65% of components made in the United States. However, individual components may contain any percentage of foreign sub-components if the overall product meets the 65% threshold.
2. Commercially Available Off-the-Shelf (COTS) Items: A COTS item is defined as a product typically used by the public or non-governmental entities for non-governmental purposes. These items are sold, leased, or licensed to the public without modification. COTS items must be manufactured in the United States and are exempt from the 65% U.S. content rule.

Lumecon products listed as Buy American Act (B AA) compliant (LDS, LWS, LM, LMB) meet the "Domestic End Products" criteria defined under FAR Subpart 25.2. These products are manufactured with 65% or more U.S.-made components or are classified as COTS items. All compliant product families are manufactured at one of our U.S. facilities. Product acceptance is subject to the project's specific requirements and at the discretion of the government procurement officer.

This guidance is in accordance with the United States Code (USC) Title 41 – Buy American Act (BAA) Chapter 83 and Federal Acquisition Regulation (FAR) Subpart 25.2—Buy American—Construction Materials.

Sincerely,

*Robert Hahn*

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