

116TH CONGRESS
2D SESSION

H. R. 5912

IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 2020

Received

AN ACT

To amend title 49, United States Code, to permit the use of incentive payments to expedite certain federally financed airport development projects.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Expedited Delivery of
3 Airport Infrastructure Act of 2020”.

4 **SEC. 2. ALLOWABLE COST STANDARDS FOR AIRPORT DE-**
5 **VELOPMENT PROJECTS.**

6 (a) IN GENERAL.—Section 47110(b)(1) of title 49,
7 United States Code, is amended—

8 (1) by striking “(1) if the cost necessarily” and
9 inserting “(1)(A) if the cost necessarily”;

10 (2) by striking the semicolon at the end and in-
11 serting “; or”; and

12 (3) by adding at the end the following:

13 “(B) if the cost is an incentive payment in-
14 curred in carrying out the project described in sub-
15 paragraph (A) that is to be provided to a contractor
16 upon early completion of a project, if—

17 “(i) such payment does not exceed the less-
18 er of 5 percent of the initial construction con-
19 tract amount or \$1,000,000;

20 “(ii) the level of contractor’s control of, or
21 access to, the worksite necessary to shorten the
22 duration of the project does not negatively im-
23 pact the operation of the airport;

24 “(iii) the contract specifies application of
25 the incentive structure in the event of unfore-

1 seeable, non-weather delays beyond the control
2 of the contractor;

3 “(iv) nothing in any agreement with the
4 contractor prevents the airport operator from
5 retaining responsibility for the safety, efficiency,
6 and capacity of the airport during the execution
7 of the grant agreement; and

8 “(v) the Secretary determines that the use
9 of an incentive payment is likely to increase air-
10 port capacity or efficiency or result in cost sav-
11 ings as a result of shortening the project’s du-
12 ration;”.

13 (b) TECHNICAL CORRECTION.—Section 47110(e)(7)
14 of title 49, United States Code, is amended by striking
15 “(7) PARTNERSHIP PROGRAM AIRPORTS.—” and insert-
16 ing “(7) PARTNERSHIP PROGRAM AIRPORTS.—”.

Passed the House of Representatives October 1,
2020.

Attest: CHERYL L. JOHNSON,
Clerk.