

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5912

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## 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 sserting “; 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:

*Clerk.*

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