

116TH CONGRESS
2^D SESSION

H. R. 5912

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.

116TH CONGRESS
2^D SESSION

H. R. 5912

AN ACT

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