

AMENDMENT

OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of subtitle C of title I of the bill, add the following:

1 **SEC. 13 ____ . CORROSION PREVENTION FOR BRIDGES.**

2 (a) DEFINITIONS.—In this section:

3 (1) APPLICABLE BRIDGE PROJECT.—The term
4 “applicable bridge project” means a project for con-
5 struction, replacement, rehabilitation, preservation,
6 or protection, other than de minimis work, as deter-
7 mined by the entity carrying out the project, on—

8 (A) a bridge project that receives financial
9 assistance under title 23, United States Code;

10 or

11 (B) a project for a railroad bridge (as de-
12 fined in section 237.5 of title 49, Code of Fed-
13 eral Regulations (or successor regulations)) that
14 receives financial assistance under title 49,
15 United States Code.

16 (2) QUALIFIED PERFORMING ENTITY.—The
17 term “qualified performing entity” means—

18 (A) a certified contractor; or

1 (B) a railroad, railroad bridge department,
2 or railroad bridge and building force performing
3 work using its own employees, provided that
4 those employees meet the individual qualifica-
5 tion requirements of this section.

6 (3) QUALIFIED INDIVIDUAL.—The term “quali-
7 fied individual” means a worker who has success-
8 fully completed—

9 (A) a qualified training program; or

10 (B) a railroad sponsored apprenticeship
11 program, progression program, or internal
12 training and qualification program covering cor-
13 rosion control, surface preparation, hazardous
14 coating removal, or industrial coating applica-
15 tion, as determined by the Secretary of Trans-
16 portation to provide equivalent training and
17 competency.

18 (4) QUALIFIED TRAINING PROGRAM.—The term
19 “qualified training program” means a training pro-
20 gram in corrosion control, mitigation, and prevention
21 that is—

22 (A) Offered by an organization that pro-
23 vides trainees with a certification that meets
24 the ANSI/NACE number 13/SSPC-ACS-1
25 standard (or a successor standard) or another

1 standard approved by the Administrator of the
2 Federal Highway Administration; or

3 (B) An industrial coatings applicator train-
4 ing program—

5 (i) registered under the Act of August
6 16, 1937 (commonly known as the “Na-
7 tional Apprenticeship Act”) (50 Stat. 664,
8 chapter 663; 29 U.S.C.50 et seq.); and

9 (ii) that meets the standards of sub-
10 part A of part 29 and part 30 of title 29,
11 Code of Federal Regulations (or successor
12 regulations); or

13 (C) registered railroad apprenticeship pro-
14 grams, joint labor management training pro-
15 grams, or in house railroad training systems
16 recognized by the Secretary of Transportation
17 as providing equivalent instruction.

18 (5) CERTIFIED CONTRACTOR.—The term “cer-
19 tified contractor” means a contracting or subcon-
20 tracting firm that has been certified by a third party
21 organization recognized industry wide that evaluates
22 the capability of the contractor or subcontractor to
23 properly perform 1 or more specified aspects of an
24 applicable bridge project described in subsection
25 (b)(2).

1 (b) APPLICABLE BRIDGE PROJECTS.—

2 (1) QUALITY CONTROL.—Qualified individuals
3 employed by a qualified performing entity shall carry
4 out aspects of an applicable bridge project described
5 in paragraph (2).

6 (2) ASPECTS OF APPLICABLE BRIDGE
7 PROJECTS.—Aspects of an applicable bridge project
8 referred to in paragraph (1) include—

9 (A) surface preparation or coating applica-
10 tion on steel, concrete, or rebar of an applicable
11 bridge project;

12 (B) removal of a lead-based or other haz-
13 ardous coating from steel or concrete of an ex-
14 isting applicable bridge project; and

15 (C) shop painting of structural steel or
16 rebar fabricated for installation on an applica-
17 ble bridge project.

18 (3) CORROSION MANAGEMENT SYSTEM.—In
19 carrying out an applicable bridge project, the entity
20 carrying out the project shall—

21 (A) implement a corrosion management
22 system that utilizes industry-recognized stand-
23 ards and corrosion mitigation and prevention
24 methods to address different considerations, in-
25 cluding—

- 1 (i) surface preparation;
- 2 (ii) protective coatings;
- 3 (iii) materials selection;
- 4 (iv) cathodic protection;
- 5 (v) corrosion engineering;
- 6 (vi) personnel training; and
- 7 (vii) best practices in environmental
- 8 protection to prevent environmental deg-
- 9 radation and uphold public health; and

10 (B) require a qualified performing entity,
11 for the purpose of carrying out aspects of appli-
12 cable bridge projects described in paragraph
13 (2), to employ a substantial number of qualified
14 individuals that are trained and certified by a
15 qualified training program.

16 (4) BIDDING.—Where bidding is required for
17 an applicable bridge project, the entity carrying out
18 the project may accept bids from—

19 (A) certified contractors that present writ-
20 ten proof that the certification of the contractor
21 meets the relevant (AMPP) SSPC QP stand-
22 ards (or a successor standard); or

23 (B) railroads performing work with their
24 own qualified employees.

1 (5) RULE FOR RAILROADS.—Nothing in this
2 subsection shall be construed to require a railroad to
3 solicit bids for work covered under this section per-
4 formed by its own workforce.

5 (6) PROHIBITION ON RAILROAD EMPLOYEE DIS-
6 PLACEMENT.—Federal financial assistance provided
7 under this Act for rail bridge corrosion control ac-
8 tivities shall not be used to displace or result in the
9 displacement of railroad employees or the outsourc-
10 ing of work traditionally performed by railroad em-
11 ployees.

12 (7) PRESERVATION OF IN-HOUSE RAILROAD
13 WORK.—Nothing in this Act shall be interpreted to
14 require a railroad to contract out or otherwise
15 outsource work that has historically and customarily
16 been performed by railroad employees.

17 (c) TRAINING PROGRAM.—As a condition of entering
18 into a contract for an applicable bridge project, each quali-
19 fied performing entity shall provide training for each
20 qualified individual who is not a certified coating appli-
21 cator, but that the qualified performing entity employs to
22 carry out aspects of applicable bridge projects described
23 in subsection (b)(2).

Page 838, after line 16, insert the following (and re-
designate the subsequent subparagraph accordingly):

1 “(H) to perform corrosion control work on
2 rail bridges, or

