



# The Infrastructure Investment and Jobs Act: What's In It for the Construction Industry?

**TOPICS:** BRIC Program

Building Resilient Infrastructure And Communities

Infrastructure Investment And Jobs Act

Pre-disaster Mitigation Funds

**POSTED BY: JARED O. BLUM** JANUARY 10, 2022

In the weeks since President Biden signed the Infrastructure Investment and Jobs Act, Washington has gone into overdrive. On Capitol Hill, along K Street and in virtually every construction industry association, staff members are poring over the complex legislation—or perhaps just its 57-page summary—to gain insight into how this \$1.2 trillion package might be spent.

At the same time, the federal agencies (primarily the departments of Transportation and Energy) that will oversee this spending must come up with programs to implement the new law and get this money to those

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who will spend it. Eventually, state and local officials will be responsible for creating the new assets funded by this bill, and that will mean hiring more workers and perhaps reaching into their own coffers to match or extend the impact of federal funding.

For anyone engaged in the construction field generally and the retrofit market specifically, there is no doubt that this whopping investment could yield benefits.

All this adds up to a complex pipeline, and it will most likely be a year or more before the first funds start to flow. This does not mean, however, that any public- or private-sector entity that would like to access some of these funds can delay the process of learning what is in the bill. Just as important, it's essential to understand now that significant resources will be needed in the future just to complete the application process.

Although there was major disagreement in Congress over how much to spend and how to spend it, in the final analysis few disputed the need to inject major new funding into our national infrastructure: The system as a whole earned a barely passing C- score from the American Society of Civil Engineers earlier this year. As Washington counsel for the EPDM Roofing Association (ERA), I have been engaged for months in following the path of this law as it moved through the legislative process. ERA joined with other construction advocacy groups based in Washington to support enactment of the infrastructure investment act. I share the widespread intense interest in what happens next.

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For anyone engaged in the construction field generally, and the retrofit market specifically, there is no doubt that this whopping investment could yield benefits. It may be in the form of direct financial support for a new

project or the less direct benefit that will derive, for instance, from being able to depend on more efficient transportation services. For all of us, it's essential to watch how this generation-defining infrastructure overhaul will play out. For the here and now, it's just as important to keep our eye on other federal funds that support our industries, primarily the BRIC Program. More details on that later, but first, here's what we know for sure about the investment act:

Most of the programs addressed by the legislation target long-ignored needs in our ports, rail systems, trucking infrastructure, availability of clean water and electric grid resilience. Certainly, this law is a significant plus for the construction industry in its overall upgrade of transportation and communication within the country. America's highways and rails facilitate the delivery of virtually all of the components and finished products that go into a retrofit project. Likewise, chemicals, such as those used to manufacture high-performing polyiso insulation or code-compliant fire retardants that are used to enhance the safety of roofing products, are delivered by truck or rail.

Additionally, while it may not be readily apparent that this funding will help support specific construction projects, a close read of the available information so far yields some clues. For instance, some of these funds will be used to make passenger stations accessible to all users, projects that will most likely involve or inspire larger retrofit projects. Public-facility retrofits on schools, municipal buildings, and judicial and public-safety offices to increase energy efficiency likewise will most likely require construction work.

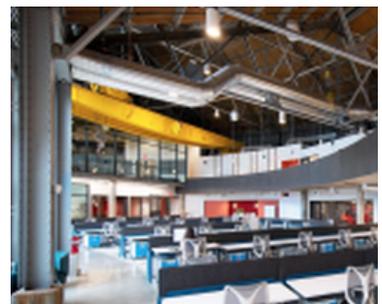
Although the passage of the Infrastructure Investment and Jobs Act has been hailed enthusiastically on both sides of the Congressional aisle and by many state and local leaders, it's essential to understand that patience is going to be required throughout the stakeholder



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community as the mandates laid out in the legislation are turned into accessible funding. The good news is that there are funds available now that could support retrofit work and ultimately be combined with new funding from the infrastructure legislation. The Building Resilient Infrastructure and Communities (BRIC) Program, which was enacted by Congress in 2018 to provide pre-disaster mitigation funding for communities, is currently accepting applications at a funding level of \$1 billion for 2021 applicants. BRIC also will receive \$1 billion additional funding over the next five years as specified in the infrastructure act.

Carteret County in North Carolina is one example of a local jurisdiction that has applied for BRIC funds and is waiting for the outcome of its application. The county is pursuing a \$500,000 BRIC grant to help fund construction of a new fire station. The estimated cost of the total project is \$3.5 million. The county has already been approved by the N.C. Department of Public Safety, the entity that actually applies to FEMA and would administer the funds, to proceed to the full application stage of the multi-step grant process.

The fiscal year 2021 application period for the BRIC program opened on Sept. 30, 2021, and closes on Jan. 28, 2022. Interested parties should touch base with their respective State Hazard Mitigation Officer or Department of Public Safety for information about current funding and to ask about future application requirements or deadlines for submitting information. While the federal government sorts out procedures to distribute the admittedly much larger infrastructure bill funding, local communities can apply for BRIC dollars now. This much more immediate funding, whether for new construction or retrofit projects, can jumpstart a much-needed building project and further invigorate our essential industry. Just as important, it can build the technical skills that will be needed to access funds that will eventu- ally be available through the Infrastructure



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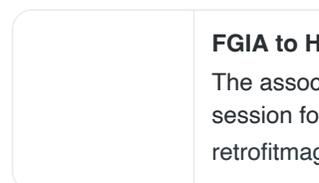
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Jared O. Blum is Washington counsel for the EPDM Roofing Association.

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