

164-1-23

**Project cost overruns and underruns.**

- (A) The director, pursuant to division (A)(2) of section 164.05 of the Revised Code, and the administrator, pursuant to division (B)(2) of section 164.051 of the Revised Code, shall authorize payments only for work covered by a project application as approved and shall authorize no payments in excess of the specific costs set forth in that application. All cost overruns associated with any such project, whether for work covered by the approved application or otherwise, shall be the sole responsibility of the project applicant, or such other subdivisions or persons as may be specified in the application. In the case of a cost underrun associated with such a project, the director shall reallocate the surplus funds to the state capital improvements fund created by division (A) of section 164.08 of the Revised Code for awarding to other eligible projects situated within the district or districts associated with the project. All restrictions originally imposed upon the use of those funds by divisions (B) and (G) of section 164.08 of the Revised Code shall continue to apply with respect to the reallocation of those funds required by this paragraph.
- (B) Notwithstanding paragraph (A) of this rule, a project applicant, with the approval of the district committee or executive committee, or both, may apply to the director or the administrator for supplemental financial assistance covering a substantial cost overrun. The director shall approve, or the administrator shall recommend, such supplemental assistance only if the applicant demonstrates to the director's or administrator's satisfaction that such funding is necessary for the completion of the project and that the cost overrun was the result of circumstances beyond the applicant's control which could not have been anticipated at the time of initial application.

Five Year Review (FYR) Dates: 6/21/2018 and 05/01/2023

CERTIFIED ELECTRONICALLY

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Certification

06/21/2018

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Date

Promulgated Under: 119.03  
Statutory Authority: 164.05  
Rule Amplifies: 164.05, 164.051, 164.06, 164.08  
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