



Ohio Administrative Code

Rule 164-1-01 Definitions.

Effective: February 15, 2024

For the purposes of Chapter 164-1 of the Administrative Code:

(A) "Administrator" means the administrator of the Ohio small government capital improvements commission appointed under section 164.05 of the Revised Code.

(B) "Change order" means a modification of a construction agreement to provide material or services to the project that were not specifically delineated in the project agreement or the project application.

(C) "Commission" means the Ohio public works commission.

(D) "Construction activities" include, but are not limited to, activities necessary for the erection, demolition, or rehabilitation of the facilities constituting the project including but not limited to: material handling (including off-site prefabrication), excavation, land clearance, demolition, utility relocation, grading, footings, form work, backfill, pipe installation, facility construction, repair, demolition, and associated necessary personal services. The work performed may include new work, additions, alterations, and repairs.

(E) "Construction costs" are the costs for construction activities.

(F) "Director" means the director of the Ohio public works commission appointed under section 164.02 of the Revised Code.

(G) "District" means a division of the state created under section 164.03 of the Revised Code.

(H) "District committee" means a district public works integrating committee established under division (A)(1), (A)(2), (A)(3), (A)(4), (A)(5), or (A)(6) of section 164.04 of the Revised Code.

(I) "Engineering costs" are the costs for professional design and oversight of the project, including



related services necessary for completing the design and assisting the applicant with construction of the project.

(J) "Executive committee" means an executive committee of a district public works integrating committee established under division (A)(7) of section 164.04 of the Revised Code.

(K) "Expansion project cost" means the cost entailed in a project, or those elements of a project, that would replace existing infrastructure with infrastructure that has a designed service capacity substantially greater than the designed service capacity of the existing infrastructure, regardless of the relative physical dimensions of the existing or replacing infrastructure.

(L) "Infrastructure" means roads and bridges, waste water treatment systems, water supply systems, solid waste disposal facilities, and storm water and sanitary collection, storage, and treatment facilities, including real property, interests in real property, facilities, and equipment related or incidental to those facilities.

(M) "Local match" are the funds provided by the applicant to meet its required participation percentage which may not consist of public works funds, but may consist of applicant funds, funds received from other governmental agencies, private lenders, or consist of credits for project related expenses that the applicant paid or the value of work completed on the project by the applicant, also referred to as "local subdivision share of the cost of a capital improvement".

(N) "Mark-up costs" are costs above what was incurred by the supplier for personal property or services purchased from a third-party and invoiced to the subdivision.

(O) "New project cost" means the cost entailed in a project, or those elements of a project, that would add infrastructure to a subdivision's existing infrastructure.

(P) "Project" means the acquisition, construction, reconstruction, improvement, planning, and equipping of infrastructure pursuant to sections 164.01 to 164.16 of the Revised Code. In the case of funds allocated under division (B)(1) of section 164.08 of the Revised Code, "project" also includes resurfacing and improving of roads. For purposes of sections 164.20 to 164.27 of the Revised Code, this definition of project does not apply.



(Q) "Project agreement" is an agreement provided for in division (A)(1) of section 164.05 of the Revised Code or division (B)(1) of section 164.051 of the Revised Code.

(R) "Project applicant" or "applicant" means the subdivision or group of subdivisions which submitted a request for financial assistance to a district that a district has subsequently formally submitted to the director of the Ohio public works commission or to the administrator of the Ohio small government capital improvements commission under section 164.06 of the Revised Code.

(S) "Project application" means a request for financial assistance formally submitted by a district to the director of the Ohio public works commission or to the administrator of the Ohio small government capital improvements commission pursuant to section 164.06 of the Revised Code.

(T) "Public works commission" or "PWC" means the Ohio public works commission created by section 164.02 of the Revised Code.

(U) "Reimbursable prepaids" are project expenses paid by the applicant within one year of the date of the project agreement.

(V) "Repair project cost" means the cost entailed in a project, or those elements of a project, that would repair existing infrastructure without substantially increasing designed service capacity.

(W) "Replacement project cost" means the cost entailed in a project, or those elements of a project, that would replace existing infrastructure with infrastructure that has a designed service capacity substantially equivalent to the designed service capacity of the existing infrastructure, regardless of the relative physical dimensions of the existing or replacing infrastructure.

(X) "Scope change" means a substantive alteration of the proposed project.

(Y) "Small government commission" or "SGC" means the Ohio small government capital improvements commission created by section 164.02 of the Revised Code.

(Z) "Small government subcommittee" means a subcommittee of a district public works integrating



committee appointed under division (D) of section 164.06 of the Revised Code to represent interests of villages and townships.

(AA) "State capital improvements fund" means the fund created by division (A) of section 164.08 of the Revised Code.

(BB) "Subdivision", relative to any project pursuant to sections 164.01 to 164.16 of the Revised Code, means a county, municipal corporation, township, sanitary district, or regional water and sewer district.

(CC) "Workwise portal" is the online access maintained by the commission for processing applications and all appurtenant information relating to the programs administered by the commission.