



## Ohio Administrative Code

### Rule 128-5-02 Facilities/equipment policy in parking garage.

Effective: December 22, 2008

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(A) The sponsor shall pay for all initial and consequential impacts due to construction on the garage for various utility lines, conduits, pipes and wires (hereby referred to as lines). e.g., but not limited to lost revenue due to loss of parking spaces (temporary and permanent), construction damages, restoration and repair due to the sponsor work, electrical alternatives, and any other foreseen or unforeseen costs.

(B) All construction documents created after adoption of this policy shall indicate an expected date of obsolesce, of the lines of all lines proposed by the sponsor.

(C) The construction documents shall indicate how and when the lines will be maintained during and after the projected useful life of the lines at no expense to the capitol square review and advisory board.

(D) For lines installed with an expected useful life of less than seven years, the construction documents shall indicate a demolition plan and an estimate of probable demolition cost (stated in current dollar value to remove the lines including the removal and legal disposal of residual waste products of all nature, including hazardous materials, and all other components, as necessary.

(E) The sponsors of the lines shall post an escrow account with the board in the amount equal to the estimate of probable demolition cost noted above. The amount shall be multiplied by an inflation factor of two percent compounded by the number of years noted above to arrive at the escrow account total.

(F) The escrow amount shall be returned to the sponsor after the lines are satisfactorily removed by the sponsor.

(G) The sponsor shall submit a written report every two years to the board regarding the status of the lines. The report shall include sponsor contact name, address(es) and phone number(s).



(H) The board shall not be responsible for any damages sustained by a sponsor to its lines in the garage.

(I) The sponsor shall notify, coordinate with, and receive permission from the board prior to beginning non-emergency maintenance work on the sponsors lines.

(J) The sponsor shall clearly and physically identify, in a manner approved by board, existing lines involved with the sponsors specific proposal.

(K) At its sole discretion, the board may negotiate with and waive some or all of the escrow amounts in exchange for like value demolition of existing or newly abandoned lines rather than the value of potential future demolition of the sponsors proposed lines. In such event, the requirements of paragraphs (A), (B), (C), (D), (H), (I), (J), and (K) of this rule shall remain unchanged.