

54-14-203 Actual excess cost.

- (1) If a local government issues a permit, authorization, approval, exception, or waiver based upon its agreement to pay for the actual excess cost of a facility, the local government shall within 30 days either accept the estimate of excess cost as the actual excess cost of a facility or request the public utility to obtain competitive bids for the facility if constructed in accordance with the requirements and conditions of the local government.
- (2) If the local government requests the public utility to obtain competitive bids, the public utility shall obtain competitive bids, and the actual excess cost of the facility shall be the difference between the lowest bid acceptable to the public utility plus the public utility's contract administration and oversight expense and the standard cost of the facility.
- (3) Any dispute regarding specifications, lowest acceptable bid, or administration and oversight expense shall be resolved by the board on an expedited basis.

Enacted by Chapter 197, 1997 General Session