



SURVEY OF STATE QBS LAWS AND REGISTRATION BOARDS

| State | QBS Law | Statute # | QBS Law: State Contracts | QBS Law: Local Units | Registration Board: Prohibits response to price proposal | Registration Board: Enforced? | Facilitator Grant Program | Comments |
|-------|---------|------------------------------|--------------------------|----------------------|--|-------------------------------|---------------------------|---|
| AL | Y* | AL-ST 41-16-21 | Y | N | Y | N | N | *Not true QBS, prohibits low-bid |
| AK | Y | AK ST § 36.30.270 | | | | | | Certain Exemptions |
| AZ | Y | AZ ST § 34-603 | Y | N | N | | Y | |
| AR | Y | AR ST § 19-11-802 | Y | Y | N | | N | |
| CA | Y | GOV. CODE § 4525 | Y | Y | N | | Y | |
| CO | Y | CO ST § 24-30 Sec. 1401-1408 | Y | N | N | | Y | |
| CT | Y | CGS § 4B-58 and 13B-20 | Y | N | N | | Y | Only for Department of Administrative Services, DOT |
| DE | Y | DE ST 29 § 6962 | Y | Y | | | | |
| FL | Y | FL ST § 287.055 | Y | Y | N | | Y | |
| GA | Y | OCGA 50-22 | Y | Y | N | | Y | As of 2005 |
| HI | Y | HRS § 103D-304 | Y | | N | | N | As of 2003 |
| ID | Y | ID Code § 67-2320 | Y | Y | N | | N | |
| IL | Y | IL ST CH 30 § 535 | Y | Y | N | | Y | |
| IN | Y* | IN ST 5-16-11.1 | | | N | | Y | Price may be considered |
| IA | N | | | | | | Y | Agencies generally follow QBS |
| KS | Y | KSA 75-5801 | Y | N | N | | Y | |
| KY | Y | KYST § 45A | Y | | | | | |
| LA | Y | LA R.S. 38:2181-2316 | Y | Y | N | | Y | Some local entities use QBS voluntarily. |
| ME | Y | ME ST T. 5 § 1742 | Y | N | N | | Y | |
| MD | Y | § 13-308 | Y | N | N | | Y | Under \$100,000 price is 40% |

ACEC Qualifications Based Selection - Survey of State QBS Laws and Registration Boards - 2005

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| | | | | | | | | of selection criteria |
| MA | Y | | Y | N | N | | N | QBS applies to vertical construction, not horizontal |
| MI | Y | PA 504 | | | N | | Y | |
| MN | Y* | §16C | Y | N | N | | Y | QBS applies only to state vertical construction. *Allows some price consideration. |
| MS | Y | No. 17.056 registration law | | | | | | Administrative Rule |
| MO | Y | RS Mo. § 8.285 | Y | N | N | | N | |
| MT | Y | 18-8-201, MCA | Y | Y | N | | Y | |
| NE | Y | 81-1701 thru 81-1721 | Y | Y | Y | | Y | Projects over \$40k |
| NV | Y | NV ST 625.530 | Y | Y | Y | Y | N | |
| NH | Y | NH ST § 21-I:1 | Y | N | | | Y | |
| NJ | Y | P.L. 1997, CH. 399 | | | N | | Y | Local governments strongly encouraged to use QBS. |
| NM | Y | NM ST § 13-1-119 thru 124 | Y | Y | N | | Y | Universities exempt |
| NY | Y | § 136A | Y | | | | Y | |
| NC | Y | G.S. 143-64.31 | Y | Y | Y | | Y | |
| ND | Y | 54-45.7 | Y | N | | | | |
| OH | Y | 153.65.71 | Y | N | N | | N | Fees may be requested if two firms are deemed "equally most qualified". |
| OK | Y | O.S. 61, 60-65 | Y | Y | Y | N | N | Updated in 2000 to include all political subdivisions. |
| OR | Y | Ch. 948 | Y | Y | N | | Y | Applies to local units when state funds are involved. |
| PA | Y | PA ST 62 PA C.S.A. § 905 | Y | | N | | N | |
| RI | Y | RI ST § 45-55-8.1 | Y | Y | | | | |
| SC | Y | SC ST 11-35-3220 | Y | Y | N | | N | |
| SD | N | | N | N | N | | N | |
| TN | Y* | TN ST § 12-4-109 | N | Y | N | | Y | *Requires qualifications, allows price |

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| TX | Y | TX GOVT § 2254.004 | Y | Y | Y | Y | Y | |
| UT | Y | UT ST § 63-56-42 | Y | N | N | N | Y | |
| VT | N | | | | | | | Requires qualifications plus price |
| VA | Y | VA ST § 2.2-4301 | Y | Y | N | | N | |
| WA | Y | RCW 39.80 | Y | Y | Y | Y | N | |
| WV | Y | WV ST § 5G-1-1 | Y | Y | | | | |
| WI | N | | | | N | | Y | Not required, but most state agencies use QBS. |
| WY | Y | WY ST § 9-2-1031 | Y | | | | | Allows discussion of fee after qualified firms are selected |