



AMERICAN COUNCIL OF ENGINEERING COMPANIES

SURVEY OF STATE QBS LAWS AND REGISTRATION BOARDS

State	QBS Law	Statute #	QBS Law: Applies to State Contracts	QBS Law: Applies to Local Units	Registration Board: Prohibits response to price proposal	Registration Board: Enforced?	Comments
AL	Y*	AL-ST 41-16-21	Y	N	Y	N	*Not true QBS, prohibits low-bid
AK	Y	AK ST § 36.30.270	Y	Y			Certain Exemptions
AZ	Y	AZ ST § 34-603	Y	Y	N		
AR	Y	AR ST § 19-11-802	Y	Y	N		
CA	Y	GOV. CODE § 4525	Y	Y	N		
CO	Y	CO ST § 24-30 Sec. 1401-1408	Y	N	N		
CT	Y	CGS § 4B-58 and 13B-20	Y	N	N		Applies only to Dept. of Public Works and Dept. of Transportation.
DE	Y	DE ST 29 § 6962	Y	Y			
FL	Y	FL ST § 287.055	Y	Y	N	N	
GA	Y	OCGA 50-22	Y	N	N		
HI	Y	HRS § 103D-304	Y	Y	N		
ID	Y	ID Code § 67-2320	Y	Y	N		
IL	Y	30 ILCS 535	Y	Y*	N		*Local law is cited as: 50 ILCS 510
IN	Y*	IN ST 5-16-11.1	Y	Y	N		*Price may be considered
IA	N		N/A	N/A			Agencies generally follow QBS
KS	Y	KSA 75-5801	Y	N	N		
KY	Y	KRS § 45A	Y	N*	N		*Local units "may" use QBS.
LA	Y	LA R.S. 38:2181-2316	Y	Y	N		Strengthened in 2006
ME	Y	ME ST T. 5 § 1742	Y	N	N		
MD	Y	§ 13-308	Y	N	N		Under \$100,000 price is 40% of selection criteria
MA	Y		Y	N	N		QBS applies to vertical construction, not

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ACEC Qualifications Based Selection - Survey of State QBS Laws and Registration Boards - 2009

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MI	Y	PA 504	Y*	N	N		For State Dept. of Management & Budget
MN	Y*	§16C	Y	N	N		QBS applies only to state vertical construction. *Allows some price consideration.
MS	Y*	No. 17.056 registration law	N	N			*Administrative Rule
MO	Y	RS Mo. § 8.285	Y	Y	N		
MT	Y	18-8-201, MCA	Y	Y	N		
NE	Y	81-1701 thru 81-1721	Y	Y	Y		Projects over \$40K
NV	Y	NV ST 625.530	Y	Y	Y	Y	Projects over \$35K
NH	Y	NH ST § 21-I:1	Y	N			
NJ	Y*	P.L. 1997, CH. 399	Y	N	N		Local governments strongly encouraged to use QBS. *Allows price proposal from top 3 firms.
NM	Y	NM ST § 13-1-117.2 thru 13-1-124	Y	Y	N		Universities exempt. QBS for contracts over \$25K.
NY	Y	§ 136A	Y	N			
NC	Y	G.S. 143-64.31	Y	Y	Y		
ND	Y	54-45.7	Y	N			
OH	Y	153.65.71	Y	Y*	N		*Except home rule municipalities
OK	Y	O.S. 61, 60-65	Y	Y	Y	N	Updated in 2000 to include all political subdivisions.
OR	Y	Ch. 948	Y	Y	N		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	N	N		
SD	N		N/A	N/A	N		
TN	Y*	TCA § 12-4-106	N	Y	N		*Requires qualifications, allows price
TX	Y	TX GOVT § 2254.004	Y	Y	Y	Y	
UT	Y	UT ST § 63-56-42	Y	N	N	N	
VT	N		N/A	N/A			Requires qualifications plus price

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VA	Y	VA ST § 2.2-4301	Y	Y	N		
WA	Y	RCW 39.80	Y	Y	Y	N	
WV	Y	WV ST § 5G-1-1	Y	Y			
WI	N		N/A	N/A	N		Not required, but most state agencies use QBS.
WY	Y*	WY ST § 9-2-1031	Y	N			*Allows discussion of fee after qualified firms are selected

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