Design Build Matrix

State	Design Build Law	Statute #	What types of projects?* If not allowed, but it is anticipated, will it be limited to certain types of projects?	Notes
AL	N		Not specifically authorized for public agencies**	
AK	Y	36.30	Design-build is permitted by all agencies for all types of design and construction	
AZ	Y	28-7361, 7362, 7363, 7364, 7365 15-213, 341, 2002 41-2503	Design-build is permitted by all agencies for all types of design and construction	7365 specifies that ½ of the selection committee must be A/E's.
AR	Y	27-67-206 19-11-807	Design-build is widely permitted	
CA	Y	20160-20175.1	Design-build is widely permitted	Explanation of design-build in California. A good history and shows who can use it. http://lao.ca.gov/2005/design_buil

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				d/design_build_020305.pdf
CO	Y	43-1-1401 – 1412 Search	Design-build is a limited option	
CT	Y	173-10-282-289f	Design-build is widely permitted	
DE	Y		Design-build is a limited option	
FL	Y	287.055	Design-build is permitted by all agencies for all types of design and construction	
GA	Y	43-4-14 32-2-81	Design-build is widely permitted	
HI	Y	3-122-43, 45, 46 36-35 103D-303.5	Design-build is permitted by all agencies for all types of design and construction	
ID	Y	67-5711A 67-	Design-build is permitted by all agencies for all types of design and construction	

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		2309		
IL	Y	30 ILCS 535/ Public Act 094-0716	Design-build is widely permitted	Design-build Procurement Act, SB766, passed in December '05, greatly expanding design-build use within the state
IN	N	Public Law 74	Design-build is widely permitted	
IA	Y	Sec. 2. Section 29A.57, subsection 3, Code 2007	Design-build is a limited option	
KS	N		Design-build is widely permitted	Limited to projects where there is demonstrated need for an alternative delivery method. There is also an open hearing process so anyone can protest using design-build delivery.
KY	Y	45A.180, 181, 182	Design-build is permitted by all agencies for all types of design and construction	
LA	Y	48.250.	Design-build is a limited option	

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		2, 3		
ME	Y	5-1743 23-753A 32-3A-§220:1-C-(3)	Design-build is widely permitted	
MD	Y	4-126 3-602 3-102	Design-build is widely permitted	
MA	Y	149A, § 14, § 15, § 16, § 17, § 18, § 19, § 20	Design-build is a limited option	Bill passed in 2004, SB2358, that permits alternative project delivery on projects over $5 million. CM at-risk and a broad use of design-build are authorized.
MI	N		Not specifically authorized for public agencies**	
MN	Y	2005 Minn. Chapter Law 78;	Design-build is permitted by all agencies for all types of design and construction	Session Law Chapter: 78 (2005) does not require that design-build team be led by A/E, but it does not limit them from doing so, also the proposed legislation allows D-B & C-M at risk on any type of project, with limits on how many projects may be done using alternative delivery systems per

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				year.
MS	Y	CHAPTER NO. 504 SENATE BILL NO. 2486 2005 Miss. ALS 504	Design-build is a limited option	SB2486, passed in 2005 allows the Department of Finance and Administration to use design-build as an alternative to traditional methods in the following pilot projects: (1) Projects for the MS Dev. Authority pursuant to agreements between both gov't entities (2) Any project under $10 million, not to exceed two projects per year (3) Any project over $50 million, not to exceed one project per year. In accordance with this the Department will have to establish detailed criteria, records, management goals, etc. for this purpose.
MO	Y	327.465	Design-build is a limited option	Passed comprehensive regulations (not statutes) allowing design-build for all State building projects
MT	Y	Ch. 113 Senate Bill 56 (2005) Ch. 574 Senate	Design-build is permitted by all agencies for all types of design and construction	

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		Bill 342 (2005)		
NE	Y	79-2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015	Design-build is a limited option	The state does have legislation concerning D-B on public projects. It is limited to school projects, "Nebraska Schools Construction Alternative Act," and there are only a certain number of demonstration projects that can be performed per year. These projects are ranked for the effectiveness of this method, in order to see if further modifications need to be made. The project designer is forbidden from taking part in the d-b process.
NV	Y	338. 148-155, 175-177, 180, 1711-1727	Design-build is permitted by all agencies for all types of design and construction	
NH	Y	Ch. 55 House	Design-build is permitted by all agencies for all types of design and	HB263, (2005), focuses on design-build and construction management methods on major

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		Bill 263 (2005)	construction	state capital projects. It allows for the option in statewide transportation improvement projects of up to $5 million to be completed using d-b delivery.
NJ	Y	*Transportation statute*	Design-build is a limited option	
NM	Y	NM ST 13-1-119.1 NMAC 1.5.7.7, 16.30.6.10	Design-build is widely permitted	
NY			Design-build is a limited option	
NC	Y	136-28.11	Design-build is a limited option	
ND	Y	*Transportation statute*	Design-build is a limited option	HB1260, passed in 2005, authorizing a legislative council study of delivery methods, including: multiple bids vs. single prime bids, construction management, professional liability and indemnification, and design-build.
OH	Y	4703.182	Design-build is a limited option	

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		4703.332		
OK	Y	61-202 Search	Design-build is permitted by all agencies for all types of design and construction	
OR	Y	383.005	Design-build is permitted by all agencies for all types of design and construction	An amendment to the Practice of Architecture Act recently passed which clarifies that a design-builder can contract for architectural services with a client.
PA	Y	62 Pa.C.S. § 322, 63 P.S. § 34.3, 63 P.S. § 34.15	Design-build is widely permitted	
RI	N		Not specifically authorized for public agencies**	
SC	Y	*Transportation statute and referred to in notes, but not*	Design-build is a limited option	

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		in statute		
SD	Y	5-18-26, 28, 30, 32, 33, 35, 37, 39	Design-build is permitted by all agencies for all types of design and construction	
TN	Y	12-10-124	Design-build is permitted by all agencies for all types of design and construction	Currently the State Architect has convened a series of task forces to create policies on best value contracting, design-build, CM at risk, and D/B/B improvements. Outcome of these task forces will be adopted as policy by the State Building Commission, not legislation.
TX	Y	Educ. Code § 44.036 Local Gov't Code § 271.111, 271.119	Design-build is widely permitted	
UT	Y	63-56-5, 36, 43.1,	Design-build is permitted by all agencies for all types of design and construction	

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		105, 703, 11-39-101, 11-39-103		
VT	Y	29-5-161	Design-build is widely permitted	
VA	Y	2.2-4301, 4303, 4306, 4307, 4308, 4317 33.1-12	Design-build is permitted by all agencies for all types of design and construction	There are not statutory provisions that mandate an architect or engineer head up the design-build team, pursuant to HB2863.
WA	Y	39.10.051	Design-build is widely permitted	
WV	Y	5-22A-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 15, 16	Design-build is permitted by all agencies for all types of design and construction	
WI	N	13.48 (19) 16.855	Design-build is a limited option	For state and university building projects, the State Building Commission can waive statutory requirements that otherwise

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				require a design-bid-build approach to allow most any alternative/innovative project delivery approach. Local school districts may use design-build, negotiated contract and other approaches as determined by local school officials.
WY	Y	**Section 1.** W.S. 15-1-113(a)	Design-build is permitted for all state building projects	
DC	Y		Design-build is widely permitted	

* This criteria has been established by DBIA
** Certain states allow design-build procurement by case law.

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