

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 100

Department or Agency: Alabama State Board for Registration of Architects

Rule No.: 100-X-5-.10

Rule Title: Design-Build

Intended Action Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Paula Pilgreen
Paula Pilgreen

Date

Wednesday, April 24, 2024 APR 24, 2024

REC'D & FILED

LEGISLATIVE SVC AGENCY

APA-2

ALABAMA STATE BOARD FOR REGISTRATION OF ARCHITECTS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board for Registration of Architects

RULE NO. & TITLE: 100-X-5-.10 Design-Build

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Comply with Governor's Executive Order to Reduce Red Tape

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written Comments received until 07/05/2024. Please mail to Board of Architects;
445 Dexter Avenue, Suite 4010; Montgomery, AL 36104

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, July 5, 2024

CONTACT PERSON AT AGENCY:

Paula Pilgreen

Paula Pilgreen

Paula Pilgreen

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

100-X-5-.10**Design-Build.**

A registered architect may combine with a licensed general contractor or a professional engineer in order to participate in a design-build undertaking whereby the architect prepares plans and specifications through individual or collective agreements with the owner or contractor in order to meet the owner's requirements for unified control in the design and construction services rendered under the following conditions:

(a) That nothing herein ~~shall~~may be construed so as to allow the offering or other performance of any architectural services by anyone who is not duly licensed as an architect in this state;

(b) That full disclosure is made in writing to the owner as to the duties and responsibilities of each of the participating parties in such agreements;

(c) The architect shall not furnish any services in such a manner as to enable a contractor, owner or others to perform architectural services or to evade the public health and safety requirements;

(d) The architect shall not seal drawings, specifications, reports or other professional work which was not prepared by or under the responsible control of the architect.

Author: Board for Registration of Architects

Statutory Authority: Code of Ala. 1975, §34-2-32.

History: New Rule: Filed February 19, 2010; effective March 26, 2010. **Amended:** Filed July 19, 2010; effective August 23, 2010. **Amended (Rule Number Only):** Filed March 2, 2016;

effective April 16, 2016. **Amended:** Published ; effective

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