



Prompt Payment for Commercial Construction in DC/MD/VA

VENUE	CITE	OWNER TO PRIME	PRIME TO SUB	SUB TO LOWER TIERS	INTEREST / FEES	OTHER COMMENTS
District of Columbia - Private	D.C. Code § 27-132-136	Unless otherwise agreed, 15 days after the earlier of (a) acceptance, (b) Owner takes possession or (c) payment request	7 days of receipt of payment from Owner	7 day rule extends to second tier sub.	1.5% per month; attorneys' fees provision	
District of Columbia - Public	D.C. Code §§ 2-221.01 to 2-221.06.	30 days, excluding legal holidays, after invoice unless otherwise agreed.	7 days after payment	Interest at rate determined by mayoral regulation; No fees provision	1.5% per month; attorneys' fees provision	
Maryland - Private	Md. Code, Real Property, §§ 9-301 to 9-304.	Progress payments as agreed; final payment 30 days after completion unless otherwise agreed	7 days after payment	7 days after payment	Interest at the legal rate; Attorneys' fees only awarded for "bad faith" failure to pay "undisputed amounts."	
Maryland - Public	Md. State Fin. & Proc. §§ 15-101 to 15-108, 15-226.	30 days after the later of: (1) payment becomes due under procurement contract or (2) receipt of invoice	10 days after payment. (§ 15-226)	10 days after payment (§ 15-226)	Interest at the legal rate; Attorneys' fees only awarded for "bad faith" failure to pay "undisputed amounts."	
Virginia - Private	None	None	None	None	None	None
Virginia - Public	Va. Code §§ 2.2-4347 to 2.2-4356.	30 days after invoice or receipt of services whichever is later, unless otherwise agreed for state agencies; 45 days after invoice or receipt of services whichever is later, unless otherwise agreed for localities.	7 days after payment	7 days after payment	Interest at prime for state agency primes unless other rate is agreed; interest at 1% per month for subs and locality primes unless other rate is agreed. Va. Code § 2.2-4354(4); no fees provision	Notice of defects that would prevent timely payment must be sent within 15-days after receipt of the invoice or the defective goods or services. Va. Code § 2.2-4351