<u>STATE-IMPOSED MANDATES PROHIBITING WORKERS WITHOUT AUTHORIZATION FROM</u>
<u>PERFORMING WORK</u>

At or prior to the time for execution of this Contract, Contractor shall submit to the Purchasing Agent of the City its certification that it does not knowingly employ or contract with a "worker without authorization", as that term is defined within §8-17.5-101 (9), C.R.S. (herein "Worker without Authorization"), who will perform work under this Contract and that the Contractor will participate in either the "E-Verify Program" created in Public Law 208, 104th Congress, as amended and expanded in Public law 156, 108th Congress, as amended, that is administered by the United States Department of Homeland Security or the "Department Program" established pursuant to section 8-17.5-102(5)(c), C.R.S. that is administered by the Colorado Department of Labor and Employment in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Contract.

Contractor shall not:
1. Knowingly employ or contract with a Worker without Authorization to perform work under this Contract;

2. Enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with a Worker without Authorization to perform work under this Contract.

The following state-imposed requirements apply to this Contract:
1. The Contractor shall have confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this Contract through participation in either the E-Verify Program or Department Program.

2. The Contractor is prohibited from using either the E-Verify Program or Department Program procedures to undertake pre-employment screening of job applicants while this contract is being performed.

3. If the Contractor obtains actual knowledge that a subcontractor performing work under this Contract knowingly employs or contracts with a Worker without Authorization to perform work under this Contract, the Contractor shall be required to:
    a. Notify the subcontractor and the Purchasing Agent of the City within three (3) days that the Contractor has actual knowledge that the subcontractor is employing or contracting with a Worker without Authorization; and
    b. Terminate the subcontract with the subcontractor if, within three (3) days of receiving the notice required pursuant to subparagraph 3a. above, the subcontractor does not stop employing or contracting with the Worker without Authorization; except that the Contractor shall not terminate the contract with the subcontractor if, during such three (3) days, the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with a Worker without Authorization.

4. The Contractor is required to comply with any reasonable request by the Colorado Department of Labor and Employment (hereinafter referred to as "CDLE") made in the course of an investigation that CDLE is undertaking pursuant to its authority under §8-17.5-102(5), C.R.S.

Violation of this Section by the Contractor shall constitute a breach of contract and grounds for termination. In the event of such termination, the Contractor shall be liable for City's actual and consequential damages.

Nothing in this Section shall be construed as requiring the Contractor to violate any terms of participation in the E-Verify Program.

<u>SAMPLE SUBMITTAL FOR E-VERIFY LETTER</u>

Use Company Letterhead

Current Date

City of Pueblo
230 S Mechanic Street
Pueblo, CO 81003

Re: Compliance with E-Verify Program
        Bid No.:   _____
        Bid Name: _____

To Whom It May Concern:

Please accept this letter as certification that _____Vendor Name_____ does not knowingly employ or contract with any workers without authorization and has not or will not knowingly enter into a contract with any subcontractor that fails to certify to us that they do not knowingly employ or contract with any workers without authorization.

_____Company Name_____ participates in or has applied for participation in the E-Verify Program created by Public Law 208, 104th Congress, as administered by the United States Department of Homeland Security.

Regards,

_____
Signature

_____
Printed Name

_____
Title (must be signed by Managing Member, President, Vice President, or Secretary)