



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
Commissioner

MEMORANDUM

FROM: KERRY A. BATES, P.E., STATE CONSTRUCTION ENGINEER
TO: INDUSTRY PARTNERS
DATE: OCTOBER 29, 2020
RE: REMINDER TO REGISTER AND USE THE E-VERIFY SYSTEM

The Virginia Public Procurement Act requires contractors who contract with a Commonwealth agency to perform work or services in excess of \$50,000, and who employed an average of fifty (50) employees over the previous twelve (12) month period, to register and participate in the E-Verify program to verify information and work authorization of its newly hired employees performing work on the public contract.

E-Verify is the federal government's web-based system through which employers electronically confirm the employment eligibility of their employees. This requirement is in Section 102.13 of the Road and Bridge Specifications. **Failure to comply can result in rejection of a bid and temporary debarment.**

The Virginia Department of Transportation encourages all of its construction industry partners to use E-Verify, regardless of whether Virginia's procurement thresholds are met. This helps ensure compliance with the E-Verify law, as well as compliance with federal and state laws prohibiting the hiring of unauthorized or ineligible workers.

The E-Verify statute may be found at § 2.2-4308.2 of the *Code of Virginia*; and is available at: <https://law.lis.virginia.gov/vacode/title2.2/chapter43/section2.2-4308.2/>

Employers can find additional information about E-Verify and may register in the program at: www.e-verify.gov/