

**MICHIGAN DEPARTMENT OF TRANSPORTATION
COMPLIANCE WITH CONTRACT REQUIREMENTS
Act 200, Public Acts 2012 Section 381**

Act 200, Public Acts of 2012, Section 381 states the following:

The department shall require as a condition of each contract or subcontract for construction, maintenance, or engineering services that the prequalified contractor or prequalified subcontractor agree to use the E-Verify system to verify that all persons hired during the contract term by the contractor or subcontractor are legally present and authorized to work in the United States. The department may verify this information directly or may require contractors and subcontractors to verify the information and submit a certification to the department. The department shall report to the house and senate appropriations committees and the house and senate fiscal agencies by March 1, 2013 describing the processes it has developed and implemented under provisions of this section. As used in this section, "E-Verify" means an Internet-based system operated by the department of homeland security, U.S. citizenship and immigration services in partnership with the social security administration.

The Department requires contractors and consultants to certify the use of E-Verify for new employees. As a result, the Department has taken the following steps to educate and ensure contractors and consultants are in compliance with the above Act:

- Effective November 1, 2012, all projects that were posted or advertised by the Department included notifications describing the requirements of the E-Verify program and the Department of Homeland Security's website (<http://www.dhs.gov/E-Verify>) to register.
- The Department added certification statements to the consultant and contractor prequalification applications stating "by signing the application the signee have or will use E-verify System to verify that new employees are legally present and authorized to work in the United States".
- All contractor and consultant subcontracts are required to include E-Verify language. Verification of the contractor's use of E-verify will be part of the random review of subcontract information performed by MDOT staff.