MICHIGAN DEPARTMENT OF TRANSPORTATION
COMPLIANCE WITH CONTRACT REQUIREMENTS
Act 59, Public Acts of 2013 Section 381

Act 59, Public Acts of 2013 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, 2014 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.

Through the department's prequalification process, all prequalified contractors and consultants are required to certify that as a condition of each contract or subcontract for construction, maintenance, or engineering services that they 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. It is a self-certification process and the documentation supporting the usage of the E-Verify system must be maintained by each company and be made available to the Department upon request.

The Department also included documentation of the E-Verify requirements in each construction contract and each scope of services for consultants. It is the responsibility of the prime contractors and consultants to include the E-Verify requirements in all tiers of subcontracts. During FY 2013, all contractors and consultants that submitted prequalification applications certified that they have/will use the E-Verify system.

Laura J. Mester
Approved