

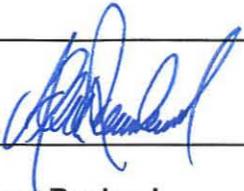


County of San Bernardino Department of Behavioral Health

INFORMATION NOTICE 11-14

Date: 10/06/2011

To: Department of Behavioral Health (DBH) Contract Agencies, Vendors and Proposed Contractors

From: Allan Rawland, MSW, ACSW, Director 

Subject: E-Verify Program For County Contractors **Revised**

Introduction Effective September 1, 2011, Contractors that provide products and services to the County of San Bernardino are required to certify employment eligibility on newly hired employees directly assigned to County contracts by using the Federal Internet-based employment eligibility verification system, E-Verify (<http://www.dhs.gov/E-Verify>).

Background Beginning in September 2009, Federal contractors were required to enroll in the E-Verify program and agree to the terms of the Memoranda of Understanding established by the United States Citizenship and Immigration Services. The County of San Bernardino began using E-Verify in Human Resources in May 2010 to verify that all new hires are legally authorized to work in the United States.

Implementation DBH Contractors must first enroll in E-Verify program as one of the Minimum Qualifications (MQ), whereby the bid or proposal would be disqualified for non-responsiveness if the contractor fails to provide the certification of enrollment at the time of proposal/bid/qualification submission.

The following standard language will be included in each Request for Proposal/Bid/Qualification issued on or after September 1, 2011:

Proposers/Bidders must complete enrollment with the Department of Homeland Security for use of the Internet-based employment verification program, E-Verify (<http://www.dhs.gov/E-Verify>), by the submission deadline of any bid or proposal to the County of San Bernardino Department of Behavioral Health; must attach a system-generated enrollment verification to the proposal or bid; and must be registering employees in compliance with the terms and conditions of the program by the effective date of any contract awarded pursuant to this solicitation.

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Implementation
(continued)

The following language will be included in County contracts and purchase orders over \$7,500 that are executed as a result of any Request for Proposal/Bid/Qualification issued on or after September 1, 2011:

Before work is performed under this Contract, Contractor shall utilize the Department of Homeland Security Internet-based employment verification program, E-Verify (<http://www.dhs.gov/E-Verify>), to ensure all newly hired employees assigned to work on this Contract are eligible to work in the United States. Contractor shall submit an executed "Certification of Compliance" form along with the executed contract. It shall be Contractor's sole responsibility to maintain records documenting the use of E-Verify, and provide such documentation to the County upon request.

In addition, before work is performed under this Contract, the Contractor is responsible for requiring that all subcontractors (excluding subcontractors who only provide goods or materials) whose subcontract has a value greater than \$3,000 enroll in E-Verify and ensure all newly hired subcontractor employees assigned to work on this Contract are eligible to work in the United States.

If a contractor is found to be non-compliant with the E-Verify requirements, the contractor will have three (3) business days to meet the requirement or be subject to a penalty equal to the lesser of 0.5% of the contract value, or \$500 per working day. During this period, work under the contract may continue; however, the non-confirmed employee(s) or subcontractor(s) may not work directly on the County contract until eligible status has been verified. If the requirement is not met within three (3) business days, the County will have the right to terminate the contract and pay only for services rendered.

With regard to purchase orders, DBH will obtain a signed certification (Attachment II) from the contractor and provide to the Purchasing Department with the requisition package. Pre-existing contracts and purchase orders will not be affected, including those blanket purchase orders that may be renewed based on a previously executed contract.

**DBH
Monitoring**

Adherence to this legal requirement will be monitored by the DBH contract monitor as part of the annual program review. DBH Program Reviewers will also conduct reviews to ensure contractors are complying with the E-verify program requirements.

**Failure to
Adhere**

Failure to adhere to this requirement will result in proposal/bid disqualification or penalty fines and/or termination of contact.

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Related Documents & Links

The follow links and/or attachments to provide detailed information of County policies and E-Verify program:

[County of San Bernardino Standard Practice Manual](#)

[11-04](#) Procurement of Goods, Supplies and Equipment

[11-04SP5](#) E-Verify Program Guidelines

[Unites States Citizenship & Immigration Services \(E-Verify\)](#)

[Enrollment Checklist](#)

[Enrollment Process](#)

Questions

Questions regarding this Information Notice shall be directed to County Purchasing Department at 909-387-2060.
