

Dr. R. Stephen Green
Superintendent/CEO



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Dr. Joyce Morley
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RE: Contractor Affidavit and Agreement Requirements

Dear Independent Contractor,

This letter is in reference to the Security & Immigration documents that have been provided by the DeKalb County School District (DCSD) for the DCSD Immigration & Security Certification requirements. If you currently have employees that will assist for the purpose of satisfying or completing the terms and conditions of any part or all of the contract with DeKalb County School District, please provide the following forms to update your vendor/purchase order file with the DeKalb County School District:

- **Immigration and Security Form – Attached**
- **Contractor Affidavit and Agreement – Attached**
- **Subcontractor Affidavit and Agreement – Attached** (if applicable)

To fill in the *Immigration and Security Form*, please follow the instructions provided below:

- Complete items 2A, 3, 4, and 5
- Sign and date page 2
- Provide Firm Name (Use Business Name Listed on W-9 or Doing Business As (DBA))
- Provide Current Mailing Address
- Notarize Form (A Notary's Attestation is required)

To complete the *Contractor Affidavit and Agreement*, please follow the instructions provided below:

- Print EEV or E-Verify Number and provide date of authorization (date you received E-Verify number)
Page 2
- If you are using an applicable Federal Work Authorization program, other than EEV/Basic Pilot Program, please identify the program in this block (if applicable; if not applicable, print N/A)
- Print Contractor's Name (Use Business Name Listed on W-9 or DBA); date form
- Notarize Form (A Notary's Attestation is required)

If contractor is using subcontractors, each subcontractor must complete the *Subcontractor Affidavit and Agreement*.

To complete the *Subcontractor Affidavit and Agreement*, please follow the instructions provided below:

- Print name of Contractor on Page 1
- Print EEV or E-Verify Number and provide date of authorization (date you received E-Verify number)
- If you are using an applicable Federal Work Authorization program, other than EEV/Basic Pilot Program, please identify the program in this block (if applicable; if not applicable, print N/A) – Page 2
- Print name of Authorized Officer or Agent; date form
- Print Subcontractor Name (Use Business Name Listed on W-9 or DBA); date form
- Notarize Form (A Notary's Attestation is required)

Please forward the original or photocopy of executed Immigration and Security Form, Contractor Affidavit and Agreement and Subcontractor Affidavit and Agreement (if applicable) to the school/department requesting your service(s). If incomplete Immigration & Security, Contractor Affidavit Agreement and Subcontractor Affidavit and Agreement forms are received, your company will not be allowed to provide services to DCSD until forms are completed as requested.

On behalf of the DeKalb County School District, we thank you for your service.

Best regards,

Carla L. Smith

Carla L. Smith
Purchasing Manager

CLS\bak

Attachments – Immigration and Security Form
Contractor Affidavit and Agreement Form
Subcontractor Affidavit and Agreement Form

IMMIGRATION AND SECURITY FORM

1) Covered public entities shall comply with the Georgia Security and Immigration Compliance Act, as amended, O.C.G.A. § 13-10-90 et. seq.

2) In order to insure compliance with the Immigration Reform and Control Act of 1986 (IRCA), D.L. 99-603 and the Georgia Security and Immigration Compliance Act, as amended by the Illegal Immigration Reform Act of 2011, O.C.G.A. § 13-10-90 et. seq. (collectively the "Act"), the **Contractor MUST INITIAL** the statement applicable to Contractor below:

(a) _____ **(Initial here):** Contractor warrants that, Contractor has registered at <https://e-verify.uscis.gov/enroll/> to verify information of all new employees in order to comply with the Act; is authorized to use and uses the federal authorization program; will continue to use the authorization program throughout the contract period; Contractor further warrants and agrees Contractor shall execute and return any and all affidavits required by the Act and the rules and regulations issued by the Georgia Department of Labor as set forth at Rule 300-10-1-.01 et. seq. [**Contractors who initial (a) must attach and return a signed, notarized Contractor Affidavit and Agreement**];

or

(b) _____ **(Initial here):** Contractor warrants that he/she does not employ any other persons, and he/she does not intend to hire any employees or to perform the Contract. [**Contractors who initial (b) must attach and return a signed, notarized Affidavit of Exception and a true and correct copy of the Contractor's state issued driver's license or state issued identification card**];

or

(c) _____ **(Initial here)** Contractor is an individual who is licensed pursuant to Title 26 or Title 43 or by the State Bar of Georgia and is in good standing when such contract is for services to be rendered by such individual and thus does not have to provide an affidavit.

3) _____ **(Initial here)** Contractor will not employ or contract with any subcontractor in connection with a covered contract unless the subcontractor is registered, authorized to use, and uses the federal work authorization program; and provides Contractor with all affidavits required by the Act and the rules and regulations issued by the Georgia Department of Labor as set forth at Rule 300-10-1-.01 et. seq.

IMMIGRATION AND SECURITY FORM (PAGE 2)

4) _____ **(Initial here)** Contractor agrees that, if Contractor employs or contracts with any sub-contractor in connection with the covered contract under the Act and DOL Rules 300-10-1-.01, ET. seq. that Contractor will secure from each sub-contractor at the time of the contract the sub-contractor's name and address, the employee-number applicable to the sub-contractor, the date the authorization to use the federal work authorization program was granted to sub-contractor; the subcontractor's attestation of the subcontractor's compliance with the Act and Georgia Department of Labor Rule 300-10-1-.01, et seq.; and the subcontractor's agreement not to contract with sub-subcontractors unless the sub-subcontractor is registered, authorized to use, and uses the federal work authorization program; and provides subcontractor with all affidavits required by the Act and the rules and regulations issued by the Georgia Department of Labor as set forth at Rule 300-10-1-.01 et. seq.

5) _____ **(Initial here)** Contractor agrees to provide all affidavits of compliance as required by O.C.G.A. § 13-10-90 *et seq.* and Georgia Department of Labor Rules 300-10-1-.01, et. seq. within five (5) business days of receipt.

Signature Date

Firm Name: _____

Street/Mailing Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Email Address: _____

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

_____ DAY OF _____, 20_____

Notary Public
My Commission Expires: _____

CONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned Contractor verifies its compliance with O.C.G.A. 13-10-91, and attests **under oath** that:

(1) the individual, firm, or corporation (“Contractor”) has registered with, is authorized to use, uses, and will continue throughout the contract term to use and participate in, a federal work authorization program [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91, as amended. As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the “EEV/Basic Pilot Program” operated by the U. S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

(2) Contractor’s correct user identification number and date of authorization is set forth herein below.

(3) Contractor agrees that the Contractor will not employ or contract with any subcontractor(s) in connection with the physical performance of services on behalf of the DeKalb County School District, unless at the time of the contract said subcontractor:

(a) is registered with and participates in the federal work authorization program;

(b) provides Contractor with a duly executed, notarized affidavit with the same affirmations, agreements, and information as contained herein and in such form as required under applicable law; and

(c) agrees to provide Contractor with notice of receipt and a copy of every sub-subcontractor Affidavit or other applicable verification procured by subcontractor at the time of contract with the sub-subcontractor(s) within five (5) business days after receiving the said Affidavit or verification.

If Contractor hires a subcontractor to complete any of the services under Contractors contract with the DeKalb County School District, then Contractor agrees to obtain and maintain records of such compliance and to provide notice of receipt and a copy of each such subcontractor Affidavit or other permissible verification at the time the subcontractor(s) is retained to perform such service or within five (5) days after receiving the said Affidavit or verification, whichever first occurs.

CONTRACTOR AFFIDAVIT AND AGREEMENT (PAGE 2)

(4) Contractor further agrees to and shall provide copies of all other affidavits or other applicable verification received by Contractor (i.e.: sub-subcontractor affidavits and all other lower tiered affidavits) within five (5) days of receipt.

EEV/Basic Pilot Program User Identification Number

Date of Authorization

If an applicable Federal work authorization program as described above is used, other than the EEV/Basic Pilot Program, please identify the program.

Company Name / Contractor Name

Date

BY: Signature of Authorized Officer or Agent

Date

Title of Authorized Officer or Agent of Contractor

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
____ DAY OF _____, 20____

Notary Public
My Commission Expires:_____

SUBCONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. 13-10-91, and attests **under oath** that:

(1) The undersigned individual, firm or corporation (“Subcontractor”) is engaged in the physical performance of services under a contract with _____ (*name of contractor*), which has a contract to provide services on behalf of the DeKalb County School District.

(2) Subcontractor has registered with, is authorized to use, uses, and will continue throughout the contract term to use and participate in, a federal work authorization program [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91. As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the “EEV/Basic Pilot Program” operated by the U. S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

(3) Subcontractor’s correct user identification number and date of authorization is set forth herein below.

(4) Subcontractor agrees that the Subcontractor will not employ or contract with any sub-subcontractor(s) in connection with the physical performance of services pursuant to this subcontract or the contract on behalf of the DeKalb County School District, unless said sub-subcontractor:

(a) is registered with and participates in the federal work authorization program;

(b) provides Subcontractor with a duly executed, notarized affidavit with the same affirmations, agreements, and information as contained herein and in such form as required under applicable law; and

(c) agrees to provide Subcontractor with notice of receipt and a copy of every sub-subcontractor Affidavit or other permissible verification procured by sub-subcontractor at the time the sub-subcontractor(s) is retained to perform such service or within five (5) days after receiving the said Affidavit or verification, whichever first occurs.

SUBCONTRACTOR AFFIDAVIT AND AGREEMENT (PAGE 2)

Subcontractor agrees to maintain records of such compliance and to provide notice of receipt and a copy of each such sub-subcontractor Affidavit or other applicable verification to the Contractor at the time the sub-subcontractor(s) is retained to perform such service or within five (5) days after receiving the said Affidavit or verification, whichever first occurs.

EEV/Basic Pilot Program User Identification Number

Date of Authorization

If an applicable Federal work authorization program as described above is used, other than the EEV/Basic Pilot Program, please identify the program.

BY: Authorized Officer or Agent

Date

(Subcontractor Name)

Title of Authorized Officer or Agent of Subcontractor

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
____ DAY OF _____, 20____

Notary Public

My Commission Expires:_____