



E-Verify: Employment Eligibility Verification

This Agreement is subject to the requirements of Employment Eligibility Verification under [FAR clause 52.222-54](#) commonly referred to as E-Verify. As a service requirement under the prime federal contract the Contractor must be actively **enrolled and maintain participation** in the E-Verify program during the term of this contract.

- If the Contractor is currently registered, it must submit evidence of enrollment by submitting its **Maintain Company page** to Foundation and affixing the same as part of the execution of this Agreement.
- For a Contractor not currently enrolled, it must register in the E-Verify system within thirty (30) days of Agreement execution by executing the E-Verify Memorandum of Understanding (MOU) as prescribed and promptly submitting the Maintain Company page to Foundation.

Information on registration and compliance with the E-Verify program can be obtained at www.dhs.gov/E-Verify.

Any eligible third-tier subcontract or purchase order let by the Contractor for services or construction with a value of over \$3,000.00 and a term of more than 30 days must incorporate FAR clause 52.222-54. If applicable, **evidence of inclusion of the clause in any third-tier agreement, plus enrollment verification of the third-tier subcontractor**, is required with the submission of the initial invoice to the Foundation.

If the contractor is an Independent Contractor (IC) who complies with I-9 provisions (i.e. has employees), then this clause applies and registration and use of the E-Verify system is required. If the IC is a sole proprietor with no employees he/she is not required to enroll in E-Verify. If at any time the IC hires employees it must notify Foundation of the same and comply with this clause accordingly.

Failure to comply with this requirement will be considered a breach of this agreement and may result in a suspension or termination of this Agreement by the Foundation. Foundation reserves the right to withhold any payment to Contractor until such time that evidence of E-Verify participation is submitted.

March 5, 2010