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Ref: Instruction for Vendor Compliance with Section 285.530(2) R.S. Mo.

Dear Vendor:

Missouri Revised Statutes Section 285.530(2) requires St. Louis County vendors for contracts in excess of \$5,000 to provide an affidavit and documentation showing that the vendor participates in a federal work authorization program with respect to employees working on the contracted services:

As a condition for the award of any contract or grant in excess of five thousand dollars by the state or by any political subdivision of the state to a business entity, or for any business entity receiving a state-administered or subsidized tax credit, tax abatement, or loan from the state, the business entity shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Every such business entity shall also sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. Section 285.530(2) R.S.Mo.

Business Entities

Pursuant to 285.530(2) R.S.Mo., business entity vendors must affirm their enrollment and participation in a federal work authorization program with respect to the employees working on the contracted services by:

- (1) Submitting a completed, notarized copy of the WORK AUTHORIZATION AFFIDAVIT FOR BUSINESS ENTITIES form, and
- (2) Providing documentation affirming the vendor's enrollment and participation in a federal work authorization program (see below) with to the employees that are working in connection with the contracted services.

A Federal work authorization program is an electronic verification of work authorization program or any equivalent federal work authorization program operated by the United States Department of Homeland Security. The E-Verify program is an internet-based work authorization program and is a widely-used worker verification program offered by the Department of Homeland Security.

Information on the E-Verify program can be found at www.uscis.gov/e-verify or at www.uscis.gov/portal/site/uscis by clicking on the E-Verify icon on the left side of the screen. The E-Verify Memorandum of Understanding ("MOU") can be found at www.gov/files/natedocuments/MOU.pdf.

Acceptable documents to show enrollment and participation in the E-Verify program consists of the following two pages of the E-Verify Memorandum of Understanding (MOU): 1) a valid, completed copy of the first page identifying the employer, and (2) a valid, completed copy of the signature page signed by the employer and the Department of Homeland Security – Verification Division.

Individuals or Sole Proprietorships

Pursuant to 208.009 R.S.Mo., no alien who is unlawfully present in the United States shall receive any contract from local governments, including St. Louis County. Accordingly, individuals or sole proprietorships contracting with St. Louis County must complete the WORK AUTHORIZATION CERTIFICATION FOR INDIVIDUALS form attached and choose one of the three options listed. The required documents must be attached to this form indicating which option you choose in order to show compliance with Section 208.009 R.S.Mo.. If you choose option two (#2), then you must also complete and return the attached WORK AUTHORIZATION AFFIDAVIT FOR INDIVIDUALS form.

Failure to Comply

Compliance with Section 285.530(2) R.S.Mo. is required for any contract with St. Louis County in excess of \$5,000. If a business entity vendor does not complete and return the required documents and/or affidavits to St. Louis County as part of the contract, this failure will be deemed a breach of the terms of such contract. St. Louis County, Missouri has the right to refuse to honor any contracts or orders, both present and future, with any vendor who does not provide the affidavits and/or documents required by 285.530(2) R.S.Mo. to St. Louis County.

Pursuant to Section 208,009 R.S.Mo., no contract for any amount shall be awarded to any individual by St. Louis County without documents showing proof of that person's citizenship or lawful presence, or by individual affidavit averring to the individual's citizenship or lawful presence in the United States.

Respectfully,

Toreen Parker, CPPB
Director of Procurement

Attachment(s)