

E-VERIFY COMPLIANCE AND E-VERIFY AFFIDAVIT INSTRUCTIONS

In order to conduct business with Atlanta Public Schools (APS), the Contractor must complete the Contractor Affidavit of Compliance form and the Subcontractor Affidavit of Compliance form, if applicable. If the Contractor is exempt from E-Verify compliance under O.C.G.A. 13-10-90, et seq., the Contractor must complete the Contractor Affidavit of Exception form. Below are the instructions on how to complete the forms.

Contractor Affidavit of Compliance - In order to comply with State law, regulations, and APS policies and procedures, APS requires a completed, signed, and notarized Contractor Affidavit of Compliance confirming E-Verify compliance from any vendor providing labor or services in an amount that exceeds \$2,499. The E-Verify program is a federal program operated by the US Customs & Immigration Services branch of the Department of Homeland Security.

- a) First, register your company at: <https://www.e-verify.gov/e-verify-enrollment> if you have not already done so.
 - For questions regarding E-Verify - visit: <https://www.e-verify.gov/contact-us> or email E-verify@dhs.gov or call 888-464-4218
- b) Log in to your registration account at: <https://e-verify.uscis.gov/web/Login.aspx> and view your Memorandum of Understanding (MOU).
 - Your company ID Number is listed at the top of every page.
 - This is NOT your E-Verify user ID, APS Vendor ID, or Tax ID.
- c) Complete, sign, and notarize the attached Contractor Affidavit of Compliance and e-mail the document to your Buyer in Procurement.
 - Please make sure the Notary seal is legible.
 - "Name of Contractor or subcontractor" is same as Vendor's Name.
 - "Name of Project" – This can be left blank.
 - "Date of Authorization" is the date you registered for E-Verify.
 - "Federal Work Authorization User Identification Number" is a six or seven digit number.

Subcontractor Affidavit of Compliance – If the Contractor is using a subcontractor to perform the services under this contract, the Subcontractor must register and participate in E-Verify and sign, notarize, and submit the Subcontractor Affidavit of Compliance, as well.

Contractor Affidavit of Exception – If the Contractor meets the following exceptions for E-Verify compliance under O.C.G.A. 13-10-90, et seq., the Contractor must fill out, sign, notarize, and submit the Affidavit of Exception form. Exceptions include:

- a) The Contractor is a sole proprietor with no employees, subcontractors, or sub-subcontractors, and it will not use or hire employees, subcontractors, or sub-subcontractors for any work performed for APS under the contract. This requires submission of a Georgia driver's license or a license from an approved state.
- b) The Contractor will provide **goods only** to Atlanta Public Schools and will not render any services to Atlanta Public Schools. *If your company provides goods along with ancillary services, such as maintenance, repairs, help desk support, customer support, technological support, or any other ancillary services, your company cannot file an Affidavit of Exception and must register with E-Verify.*
- c) The Contractor is a foreign company, and the work performed under the contract will be done in a foreign country by residents of that country.
- d) The Contractor is an individual who is licensed pursuant to Official Code of Georgia Title 26 or Title 43, or by the State Bar of Georgia; whose license is in good standing, and the Contractor is the individual who will be performing the services under the contract.

E-VERIFY AFFIDAVIT
Contractor Affidavit under O.C.G.A. § 13-10-91(b)(I)

The undersigned contractor ("Contractor") executes this Affidavit to comply with O.C.G.A § 13-10-91 related to each, every, and any contract to which Contractor is a party with **Atlanta Public Schools** that is subject to O.C.G.A. § 13-10-91 and hereby verifies its compliance with O.C.G.A. § 13-10-91, attesting as follows:

- a) The Contractor has registered with, is authorized to use, and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program;
- b) The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;
- c) The Contractor will notify **Atlanta Public Schools** in the event the Contractor ceases to utilize the federal work authorization program during the contract period, including renewals or extensions thereof;
- d) The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contractor's contract with **Atlanta Public Schools**;
- e) The Contractor will subcontract for the performance of services in satisfaction of such contract only with subcontractors who complete, sign, notarize, and provide the Subcontractor Affidavit to the Contractor with the information required by O.C.G.A. § 13-10-91(a), (b), and (c) prior to beginning the performance of services;
- f) The Contractor acknowledges and agrees that this Affidavit shall be incorporated into each, every, and any contract(s) with **Atlanta Public Schools** subject to the provisions of O.C.G.A. § 13-10-91 to which Contractor is a party after the date hereof without further action or consent by Contractor; and
- g) Contractor acknowledges its responsibility to submit copies of any affidavits, drivers' licenses, and identification cards required pursuant to O.C.G.A. § 13-10-91 to **Atlanta Public Schools** within five business days of receipt.

Federal Work Authorization User Identification Number

Date of Authorization

Name of Contractor

I hereby declare under penalty of perjury that the foregoing is true and correct.

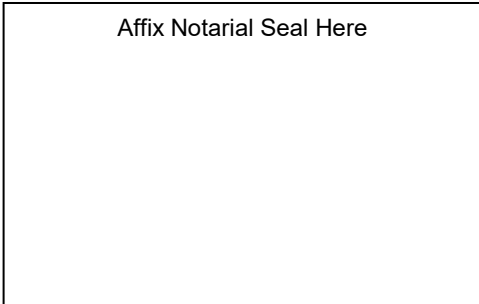
Executed on _____, _____, 20____ in _____ (city), _____ (state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

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

NOTARY PUBLIC
My Commission Expires:



E-VERIFY AFFIDAVIT
Subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(3)

By executing this affidavit, the undersigned subcontractor (hereinafter the "Subcontractor"), which is engaged in the physical performance of services under a contract with (name of Contractor) on behalf of **Atlanta Public Schools**, verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the Subcontractor has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the Subcontractor will continue to use the federal work authorization program throughout the contract period, and the Subcontractor will contract for the physical performance of services in satisfaction of such contract only with sub-subcontractors who present an affidavit to the Subcontractor with the information required by O.C.G.A. § 13-10-91(b). Additionally, the Subcontractor will forward notice of the receipt of an affidavit from a sub-subcontractor to the Contractor within five business days of receipt. If the Subcontractor receives notice that a sub-subcontractor has received an affidavit from any other contracted sub-subcontractor, the Subcontractor must forward, within five business days of receipt, a copy of the notice to the Contractor. Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Subcontractor

Name of Project/Contract

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, ____, 20__ in _____(city), _____(state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

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

NOTARY PUBLIC

My Commission Expires:

Affix Notarial Seal Here

AFFIDAVIT OF EXCEPTION

I attest that I am exempt from providing a Contractor Affidavit of E-Verify Compliance to Atlanta Public Schools pursuant to O.C.G.A. § 13-10-91, as amended, for one of the following reasons:

_____ I am a sole proprietor with no employees, subcontractors, or sub-subcontractors, **and** I will not use or hire employees, subcontractors, or sub-subcontractors for any work performed for Atlanta Public Schools under the contract.

In order to be exempt from compliance under the above exception, in addition to this affidavit you must provide a copy of your State of Georgia driver's license. If you do not have a Georgia license, please see: http://www.georgia.gov/vgn/images/portal/cit_1210/50/35/173461453Lists_of_states_that_verify_migration_status_7_26_11.pdf for a list of driver's licenses from alternative states that can be submitted in lieu of a Georgia driver's license.

_____ My company/firm will provide **goods only** to Atlanta Public Schools and will not render any services to Atlanta Public Schools. *If your company provides goods along with ancillary services, such as maintenance, repairs, help desk support, customer support, technological support, or any other ancillary services, your company cannot file an Affidavit of Exception and must register with E-Verify.*

_____ My company is a foreign company, and the work performed under the contract will be done in a foreign country by residents of that country.

_____ I am an individual who is licensed pursuant to Official Code of Georgia Title 26 or Title 43, or by the State Bar of Georgia; my license is in good standing, and I am the individual who will be performing the services under the contract.

Vendor Name: _____

Name of Project: _____

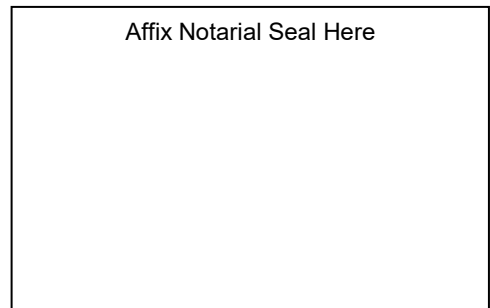
I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20____

in _____ (city), _____ (state).

Signature of Authorized Officer or Agent

Printed Name and Title of authorized Officer or Agent



Subscribed and Sworn Before Me

On This the _____ Day Of _____, 20____.

Notary Public

My Commission Expires: _____