pennsylvania
DEPARTMENT OF GENERAL SERVICES

August 13, 2015

Via Certified Mail

Mr. Richard Mellow
Richard Mellow Corp.
805 Enterprise Street
Dickson City, PA. 18519

Re: Violation Notice/Warning Letter
Public Works Employment Verification Act
Project: Contract No#: DGS A502-92.4
Life Safety Upgrade on 1st Floor Newton Hall

Dear Mr. Mellow:

This correspondence shall serve as official notice that, as a result of an investigation or audit conducted by the Department of General Services, Richard Mellow Corp. has been found to be in violation of Section 5(1) of the Public Works Employment Verification Act (the "Act"). The details of the violation are as follows:

The Act requires every public work contractors and subcontractors to utilize the federal E-Verify Program ("EVP"), operated by the United States Department of Homeland Security, to verify the employment eligibility of new employees hired on or after January 1, 2013.

The Act was effective January 1, 2013, and all public works contractors are required to comply with the Act prior to the award of a public works contract. By letter dated July 30, 2015, the Department requested Richard Mellow Corp. to provide specific information establishing compliance with the Act. A review of the documentation submitted reveals that Richard Mellow Corp was awarded a public works contract by the Department of General Services on August 22, 2014. According to the information submitted in response to the audit, Richard Mellow Corp. hired a total of approximately one (1) employee after the award of the contract. Although Richard Mellow Corp. submitted a Public Works Employment Verification Form acknowledging that it was in compliance with the Act as of July 29, 2014, Richard Mellow Corp. did not enroll into EVP until August 3, 2015 and did not initiate verification of the 1 new employee until August 6, 2015. Therefore, it is the Department's conclusion that Richard Mellow Corp. did not utilize the EVP system to verify new employees in accordance with the Act and is in violation of Section 5(1) of the Act.

This is Richard Mellow Corp.'s first violation under the Act. As required by Section 5(D) (1), this first violation warning letter will be posted to the Department's publicly accessible website. If Richard Mellow Corp. fails to comply with the Act or commits subsequent violations thereof, Richard Mellow Corp. may be subject to civil penalties as well as debarment by the Department as provided for in Section 5.

If Richard Mellow Corp. wishes to appeal this determination, you must submit a written request for an administrative hearing setting forth all of the facts upon which the appeal is based within ten (10) calendar days of the date of this letter to the Deputy Secretary for Public Works, Department of General Services, 3rd Floor Arsenal Building, 18th and Herr Streets, Harrisburg, PA, 17125. A filing fee of $100.00, in the form of a certified check or money order payable to the Commonwealth of Pennsylvania Department of General Services, must be enclosed with the request.

Please refer to the Department's web site at www.dgs.state.pa.gov for additional information on the requirements of the Act as well as the appeal procedures to be followed if Richard Mellow Corp. requests an administrative hearing. Your cooperation with the Department in complying with the Act is appreciated.

Sincerely,

Michael A. Cuff
Public Works Employment Verification Manager

cc: Elizabeth O'Reilly, Deputy Secretary for Public Works
Herb Pfuhl, Director, BPSAS
Kristen A. Lopko, Assistant Counsel