



April 19, 2016

**Via Certified Mail**

Ms. Susanne B. Tucker  
Vistacom  
1902 Vultee Street  
Allentown, PA 18103

**Re: Violation Notice/Warning Letter  
Public Works Employment Verification Act  
Project: DGS-425-4.4 Phase 1 Part 2  
PEMA Headquarters**

Dear Ms. Tucker:

This correspondence shall serve as official notice that, as a result of an investigation or audit conducted by the Department of General Services, Vistacom, Inc. ("Vistacom") 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 was effective January 1, 2013, and requires every public work contractor and subcontractor 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. Public works contractors and subcontractors must be in compliance with the Act prior to the award of the contract. Employees hired after the award of the public works contract must be verified within 5 business days of his or her start date.

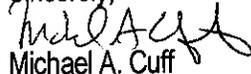
By letter dated February 24, 2016, the Department requested Vistacom to provide specific information establishing compliance with the Act. A review of the documentation submitted reveals that Vistacom was awarded a public works contract by the Department of General Services on May 28, 2015. According to the information submitted in response to the audit, Vistacom hired a total of approximately five (5) employees after the award of the contract. Although Vistacom submitted the Public Works Employment Verification Form acknowledging that it was in compliance with the Act as of May 26, 2015, prior to the award, however, Vistacom did not initiate verification of the five new employees until on or after March 14, 2016, more than five business days after the employees' respective start dates. Therefore, it is the Department's conclusion that Vistacom did not properly 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 Vistacom'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 Vistacom fails to comply with the Act or commits subsequent violations thereof, Vistacom may be subject to civil penalties as well as debarment by the Department as provided for in Section 5.

If Vistacom 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 Bureau of Procurement, Department of General Services, 6<sup>th</sup> floor Forum Place, 555 Walnut Street, Harrisburg, PA, 17101. 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](http://www.dgs.state.pa.gov) for additional information on the requirements of the Act as well as the appeal procedures to be followed if Vistacom 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: Janice Pistor, Chief, Strategic Support & Audit Division  
Kristen A. Weber, Assistant Counsel