



# pennsylvania

DEPARTMENT OF GENERAL SERVICES

September 29, 2015

**Via Certified Mail**

Mr. Barry Portnoy  
Vorndran Construction, Inc.  
1320 Industrial Blvd, Unit 2  
Southampton, PA. 18966

**Re: Violation Notice/Warning Letter  
Public Works Employment Verification Act  
Project: Contract No#: Springfield School District  
Sabold & Scenic Hills Bathroom Renovations**

Dear Mr. Portnoy:

This correspondence shall serve as official notice that, as a result of an investigation or audit conducted by the Department of General Services, Vorndran Construction, Inc (Vorndran Construction) 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 14, 2015, the Department requested Vorndran Construction to provide specific information establishing compliance with the Act. A review of the documentation submitted reveals that Vorndran Construction was awarded a public works contract by the Springfield School District on May 21, 2015. According to the information submitted in response to the audit, Vorndran Construction hired a total of approximately four (4) employees after the award of the contract. Although Vorndran Construction submitted a Public Works Employment Verification Form acknowledging that it was in compliance with the Act as of August 30, 2015, Vorndran Construction did not enroll into EVP until September 1, 2015 and did not initiate verification of the 4 new employees until September 17, 2015. Therefore, it is the Department's conclusion that Vorndran Construction 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 Vorndran Construction'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 Vorndran Construction fails to comply with the Act or commits subsequent violations thereof, Vorndran Construction may be subject to civil penalties as well as debarment by the Department as provided for in Section 5.

If Vomdran Construction 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, 3<sup>rd</sup> 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](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 Vomdran Construction 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  
Kristen A. Lopko, Assistant Counsel