



pennsylvania

DEPARTMENT OF GENERAL SERVICES

March 10, 2016

Via Certified Mail

Mr. Marco Mucci
Walter Mucci Construction Co, Inc.
P.O. Box 308
Perryopolis, PA. 15473

**Re: Violation Notice/Warning Letter
Public Works Employment Verification Act
Project: Contract No#: DGS 229-1.1 Phase 2
Construction of New Headquarters**

Dear Mr. Mucci:

This correspondence shall serve as official notice that, as a result of an investigation or audit conducted by the Department of General Services, Walter Mucci Construction Co, Inc (Walter Mucci 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.

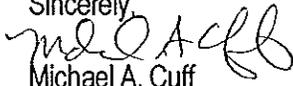
The Act was effective January 1, 2013, and all public works contractors are required to comply with the Act prior to the award of a public works contract. By letter dated February 1, 2016, the Department requested Walter Mucci Construction to provide specific information establishing compliance with the Act. A review of the documentation submitted reveals that Walter Mucci Construction was awarded a public works contract by the Department of General Services on April 13, 2015. According to the information submitted in response to the audit, Walter Mucci Construction hired a total of approximately one (1) employee after the award of the contract. Although Walter Mucci Construction submitted a Public Works Employment Verification Form acknowledging that it was in compliance with the Act as of March 26, 2015, Walter Mucci Construction did not enroll into EVP until February 8, 2016 and did not initiate verification of the 1 new employee until February 9, 2016. Therefore, it is the Department's conclusion that Walter Mucci 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 Walter Mucci 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 Walter Mucci Construction fails to comply with the Act or commits subsequent violations thereof, Walter Mucci Construction may be subject to civil penalties as well as debarment by the Department as provided for in Section 5.

If Walter Mucci 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, 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 Walter Mucci 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