



# pennsylvania

DEPARTMENT OF GENERAL SERVICES

C.H. & D. Enterprises, Inc.  
100 Brady Place  
New Stanton, PA 15672

June 16, 2023

Re: Warning Letter  
Public Works Employment Verification Act  
Project: Bridge over NS RR/Contract 31550  
Project: SR 3103 over Jacks Run/Contract 77872  
Project: SR 2031 over Thompson Road/Contract 78854  
Project: Kersey Run Bridge/Contract 88186  
Project: Boggs Township #1 Slide/Contract 109692  
Project: I-70 over Buffalo Creek Preservation/Contract 113714

Dear C.H. & D. Enterprises, Inc.:

This correspondence shall serve as official notice that, as a result of an investigation conducted by the Department of General Services, C.H. & D. Enterprises, Inc. has been found to be in violation of the following Section of the Public Works Employment Verification Act (the Act):

*5(1) Failed to verify the employment eligibility of a new employee hired after January 1, 2013, through the federal E-Verify Program.*

The Act was effective January 1, 2013, and requires every public works contractor and subcontractor to utilize the federal E-Verify Program, 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. An employee hired after the award of the public works contract must be verified within five (5) business days of his or her start date.

By letter dated May 15, 2023, the Department requested C.H. & D. Enterprises, Inc. provide specific information establishing compliance with the Act on multiple public works contracts. C.H. & D. Enterprises, Inc. properly enrolled in the federal E-Verify Program on January 9, 2013, and a review of the documentation submitted reveals the information in the table below.

	Submitted E-Verify Form	Awarded Public Works Contract by PennDOT	Number of employees not verified within 5 business days of hire	Number of employees not verified
Contract 31550	April 30, 2020	May 12, 2020	1	0
Contract 77872	May 20, 2021	June 1, 2021	0	2
Contract 78854	July 9, 2020	July 20, 2020	1	0
Contract 88186	February 27, 2020	March 4, 2020	1	1
Contract 109692	May 7, 2020	May 21, 2020	2	3
Contract 113714	June 4, 2020	June 18, 2020	4	0

Based on the above information, it is the Department's conclusion that C.H. & D. Enterprises, Inc. did not utilize the EVP to verify new employees in accordance with the Act and is in violation of Section 5(1). This is C.H. & D. Enterprises, Inc.'s first violation under the Act. As required by Section 6(d)(1) of the Act, 43 P.S. § 167.6(d)(1), this first violation warning letter will be posted to the Department's publicly accessible website at [www.dgs.pa.gov](http://www.dgs.pa.gov). If C.H. & D. Enterprises, Inc. fails to comply with the Act or commits subsequent violations thereof, C.H. & D. Enterprises, Inc. may be subject to civil penalties as well as debarment by the Department as provided for in Section 6 of the Act.

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 Capital Programs, Department of General Services, 1800 Herr Street, Arsenal Building, 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, [www.dgs.pa.gov](http://www.dgs.pa.gov), for additional information on the requirements of the Act and the appeal procedures to be followed if C.H. & D. Enterprises, Inc. requests an administrative hearing. Your cooperation with the Department in complying with the Act is appreciated.

Sincerely,

Rebecca Dombrowsky  
Employment Verification Administrator