

RESOLUTION NO. 2005

A RESOLUTION DIRECTING CITY OF LONGVIEW PARTICPATION IN THE FEDERAL E-VERIFY PROGRAM; REQUIRING CONTRACTORS AND BUSINESS ENTITIES CONTRACTING WITH THE CITY OF LONGVIEW TO PARTICPATE IN THE E-VERIFY PROGRAM, AND DIRECTING THE VERIFICATION OF CITY OF LONGVIEW NEW EMPLOYEE ELIGIBILITY THROUGH THE E-VERIFY PROGRAM.

WHEREAS, the City of Longview has an interest in ensuring that those who contract with the City employ only individuals who are employment eligible under federal regulations; and

WHEREAS, the City of Longview has an interest in ensuring its own employees are employment eligible and is currently enrolled in the E-Verify program; and

WHEREAS, E-Verify, an internet based system operated by the Department of Homeland Security in partnership with the Social Security Administration, is free and voluntary; and

WHEREAS, E-Verify is the best means available for determining employment eligibility of new hires and the validity of their Social Security Numbers; and

WHEREAS, it is in the best interest of the security and economic well-being of City residents for City government to be proactive with the companies it contracts with to uphold Federal immigration and employment laws, and in hiring its own employees; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONGVIEW:

That the City Council hereby establishes City policy that all future contracts between the City of Longview and contractors and vendors for contracts over \$10,000 shall require the contractors and vendors to enroll and participate in the E-verify program when hiring employees, and to affirm its enrollment and participation to the City. Further, all subcontracts over \$10,000 shall require the subcontractor and all of its subcontractors and vendors to enroll and participate in the E-Verify program program when hiring employees, and to affirm their enrollment and participation to the City.

BE IT FURTHER RESOLVED:

That the City itself will remain enrolled in, and participate in, the E-Verify system for the verification of employment eligibility of its own new employees.

BE IT FURTHER RESOLVED:

That this policy shall not apply to:

1. Government agencies;
2. Sole proprietors who have no employees and who will not hire any employees to perform work on the City's contract;
3. Legal, bonding, banking, and investment services;
4. Contracts exempt from competitive bidding;
5. Contracts issued under City ordinance;
6. Contracts whose funding source regulations restrict use of this policy;
7. Regulated providers of insurance and the City's insurance pool;
8. Public utilities;
9. Contracts that are for a period of performance of less than sixty (60) days;
10. Providers of commercially available off-the-shelf-items or items that would be off-the-shelf items but for minor modifications; or
11. Commercial services that are part of the purchase of a commercially available off-the-shelf item or such item with minor modifications, provided such services are performed by the item supplier or provider and such services are normally performed for that item.

BE IT FURTHER RESOLVED:

That the City Manager may waive or modify these requirements on a case-by-case basis, when in the best interest of the City or to prevent a substantial disruption to the operations of the City. The City Manager shall notify the City Council at the next regular city council meeting of such waiver or modification.


BE IT FURTHER RESOLVED:

That any contractor, subcontractor, or vendor not enrolled in the E-Verify program as required by the City's policy, shall not be eligible for award of a contract. Further, any contractor, subcontractor, or vendor enrolled in the E-Verify program but failing to verify new employees or otherwise comply with the terms of the program, could result in suspension of contract and/or be ineligible to submit bids, quotes, or proposals for future City contracts or subcontracts until it demonstrates to the City that it has corrected any program deficiencies and is in compliance with the program.

BE IT FURTHER RESOLVED:

The effective date of the Resolution is January 1, 2012.

Passed by the City Council of the City of Longview, Washington, and approved by its Mayor this 17 day of November, 2011.


MAYOR

ATTEST:

Ann C Davis
City Clerk