



September 13, 2013

Via Certified Mail and Facsimile

Thomas Banes
Banes Roofing, Inc.
80 South 3rd Street
Telford, PA. 18969

**Re: Violation Notice/ Warning Letter
Public Works Employment Verification Act
Project No. DGS A 501 -79.1**

Dear Mr. Banes

This correspondence shall serve as official notice that, as a result of an investigation or audit conducted by the Department of General Services, Banes Roofing, Inc. ("Banes") 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 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 each new employee 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. The Department's records show that the public works contract was awarded to Banes Roofing, Inc. on May 31, 2013. By letter dated June 28, 2013, the Department requested that Banes provide specific information that establishes compliance with the Act. Banes provided a Quick Audit Report showing that they hired a total of four (4) employees on or after January 1, 2013. Out of these four (4) new hires, one (1) employee was hired between January 1, 2013 and May 7, 2013, the date of Form submittal. Three (3) employees were hired after the date of Form submittal but were not verified within five (5) business days of his or her start date. Banes did not enroll in EVP until July 3, 2013, and none of the four (4) new hires were verified until July 12, 2013. Therefore, it is the Department's conclusion that Banes 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.

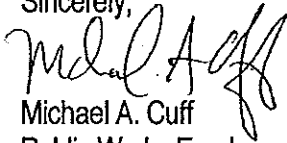
This is Bane's first violation under the Act. As required by Section 5(D)(1), this first violation warning letter will be posted to the Department's publicly accessible website. If Banes fails to comply with the Act or commits subsequent violations thereof, Banes may be subject to civil penalties as well as debarment by the Department as provided for in Section 5.

If Banes 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, 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 Banes 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
Herb Pfuhl, Director, BPSAS
Kristen A. Lopko, Assistant Counsel