**AGREEMENT ADDENDUM REQUIRING**

**E-VERIFY COMPLIANCE**

In addition to any other agreements, contracts and covenants between the parties, Montgomery County, Indiana (County) and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Vendor) for and in consideration of the mutual promises contained herein, and as an addendum to any agreements between them, agree as follows:

In compliance with the mandates upon municipalities contained in Indiana Code §22-5-1.7, which became effective 1 July 2011, Vendor shall enroll in and verify the work eligibility status of all newly hired employees through the E-Verify Program (“Program”). Vendor is not required to verify the work eligibility status of all newly hired employees through the Program if the Program no longer exists. Vendor and its subcontractors shall not knowingly employ or contract with an unauthorized alien or retain an employee or contract with a person that Vendor or its subcontractor subsequently learns is an unauthorized alien. If Vendor violates this provision, the County shall require Vendor to remedy the violation not later than thirty (30) days after the County notifies Vendor. If Vendor fails to remedy the violation within the 30-day period, County shall terminate the contract for breach of contract. If the County terminates the agreement, Vendor shall, in addition to any other contractual remedies, be liable to County for actual damages. There is a rebuttable presumption that Vendor did not knowingly employ an unauthorized alien if Vendor verified the work eligibility status of the employee through the Program. If Vendor employs or contracts with an unauthorized alien but the County determines that terminating the contract would be detrimental to the public interest or public property, the County may allow the contract to remain in effect until the County procures a new contractor. Vendor shall, before performing any work, require each subcontractor to certify to Vendor that the subcontractor does not knowingly employ or contract with an unauthorized alien and has enrolled in the Program. Vendor shall maintain on file a certification from each subcontractor throughout the duration of the parties’ agreement. If Vendor determines that a subcontractor is in violation of this provision, Vendor may terminate its contract with the subcontractor for such violation. Under IC 22-5-1.7, this Agreement Addendum includes an affidavit affirming that the business entity does not knowingly employ an unauthorized alien and confirming Vendor’s enrollment in the Program, unless the Program no longer exists.

Montgomery County, Indiana

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed:

Title:

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ATTEST**:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mindy Byers, Auditor

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**VENDOR:**

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**UNAUTHORIZED ALIEN AFFIDAVIT (I.C. 22-5-1.7-11)**

The undersigned, swears and affirms under penalties for perjury, that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Vendor) does not knowingly employ an unauthorized alien. The undersigned further affirms that, prior to entering into this Contract with the County, Vendor will enroll in and agrees to verify the work eligibility status of all its newly hired employees through the E-Verify program.

Vendor:

By (Written Signature): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Printed Name & Title): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_