



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

B-221788

June 3, 1986

Ms. Terri A. Johnson, President  
Mr. Donald (Don) Johnson,  
Vice President  
Rebar Contractors, Inc.  
P.O. Box 26921  
Phoenix, Arizona 85068

Dear Ms. & Mr. Johnson:

Subject: The Ashton Company, Inc. - Prime Contractor  
Rebar Contractors, Inc. - Subcontractor  
Project No: F33657-81-C-2096  
Process Building #814  
Tucson, Arizona  
DOL File No: ARIZ-85-340

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated September 26, 1985, has recommended to our Office that the names Rebar Contractors, Inc., Terri A. Johnson, individually and as President, and Donald (Don) Johnson, individually and as Vice President, be placed on the debarred bidders list for violations of the Davis-Bacon Act, 40 U.S.C. §§ 276a to 276a-5 (1982), with respect to the above-referenced contract.

We concur with the Assistant Administrator's recommendation. The Davis-Bacon Act provides that the Comptroller General is to debar persons and firms whom he finds have disregarded their obligations to their employees under the Act. See 40 U.S.C. § 276a-2. Our review of the record in this case confirms that there were substantial violations which constitute a disregard of obligations to your employees with respect to the minimum wage provisions of the Act.

Accordingly, your names and that of Rebar Contractors, Inc., will be included on the list of debarred bidders to be distributed to all departments of the Federal government. Pursuant to statutory direction (40 U.S.C. § 276a-2), no contract shall be awarded to Rebar Contractors, Inc., or to

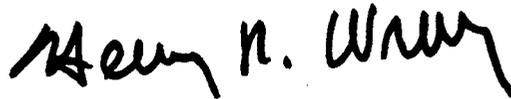
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either of you, or to any firm, corporation, partnership or association in which you have an interest until 3 years have elapsed from the date of publication of that list.

The funds on deposit with our Claims Group (\$14,562.45), which were withheld as a result of the violation will be disbursed to the wage claimants in accordance with established procedures.

Sincerely yours,



Henry R. Wray  
Associate General Counsel

cc: Sylvester L. Green, Director  
Contract Standards Operations  
U.S. Department of Labor  
Room S3518  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

Group Director, Claims Group/GGD  
with file Z-2863811