



United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-232211

October 12, 1988

Owner
M. Carter Construction, Inc.
6043 N.W. 167 Street
Miami, Florida 33015

Dear Mr. [REDACTED] :

Subject: M. Carter Construction, Inc.
[REDACTED]

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated August 4, 1988, recommended to our Office that M. Carter Construction, Inc., and [REDACTED], individually and as owner of M. Carter Construction, Inc., be placed on the ineligible 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 or firms whom he finds have disregarded their obligations to employees under the Act. 40 U.S.C. § 276a-2. Our review of the record confirms that there were substantial violations in this case which constitute a disregard of obligations to employees with respect to the minimum wage provisions of the Davis-Bacon Act.

Accordingly, M. Carter Construction, Inc., and [REDACTED], individually and as its owner, will be included on a list to be distributed to all departments of the government. Pursuant to statutory direction at 40 U.S.C. § 276a-2, no contract shall be awarded to them or to any firm, corporation, partnership, or association in which they, or any of them have an interest until 3 years have elapsed from the date of publication of such list.

M. Carter Construction, Inc., and Mr. [REDACTED], its owner, have made full restitution by paying the employees of the firm the back wages due them in the total amount of \$14,659.11.

Sincerely yours,

Robert L. Higgins for

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

Mr. Oliver W. Krueger
Associate Director/GGD - Claims Group