



Office of the General Counsel

B-231739

September 13, 1988

Mr. Marc DeRaismes
President
New Jersey Window Company
200 Essex Avenue East
Avenel, New Jersey 07001

Dear Mr. DeRaismes:

Subject: New Jersey Window Company
Contract No. DACA51-82-C-0111
DOL File No. NJ-84-271

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated June 13, 1988, recommended to our Office that New Jersey Window Company and Marc DeRaismes, individually and as president of New Jersey Window Company, 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.

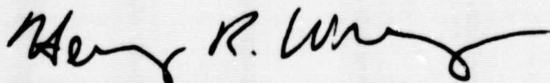
We concur with the Assistant Administrator's recommendation. The Davis-Bacon Act provides that the Comptroller General is to debar persons or firms whom he finds have disregarded their obligations to employees under the Act. 40 U.S.C. § 276a-2. Our review of the record confirms that there were substantial 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, New Jersey Window Company, and Marc DeRaismes, individually and as its president, 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.

Cordoba Construction, Inc., the prime contractor, has authorized the release of back wages in the total amount of \$55,722.42 due the underpaid employees of the subcontractor, New Jersey Window Company. The amount paid

consists of \$51,481.95 due under the provisions of the Davis-Bacon Act and \$4,240.47 owing under the Contract Work Hours and Safety Standards Act. These amounts have been received by this Office and 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

Mr. Oliver W. Krueger
Associate Director, GGD - Claims Group
(w/ Z-2865803)