



Office of the General Counsel

B-231349

July 22, 1988

Mr. Carmelo Gonzalez
President
Mr. Kurt Gehlken
Vice President
Carmel, Inc., a/k/a Medka Construction Co.,
a/k/a Mantikas Construction Co.,
a/k/a Mantikas Construction, Inc.,
a/k/a Mantikas Painting Contractors
5901 E. 7th Street
Long Beach, California 90822

Dear Messrs. Gonzalez and Gehlken:

Subject: Carmel, Inc.
Contract No. V600C-390-83
DOL File No. CAL-85-362

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated May 2, 1988, recommended to our Office that Carmel, Inc., a/k/a Medka Construction Co., a/k/a Mantikas Construction Co., a/k/a Mantikas Construction, Inc., a/k/a Mantikas Painting Contractors; Carmelo Gonzalez, individually and as president; and Kurt Gehlken, individually and as vice president, 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.

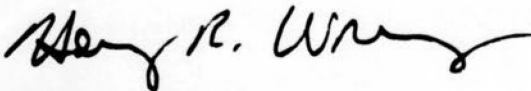
We concur with the Assistant Administrator's recommendation. The Davis-Bacon Act provides that the Comptroller General is to debar persons or firms whom he finds have disregarded their obligations to employees under the Act. 40 U.S.C. § 276a-2. Our review of the record confirms that there were substantial 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, Carmel, Inc., a/k/a Medka Construction, Co., a/k/a Mantikas Construction Co., a/k/a Mantikas Construction, Inc., a/k/a Mantikas Painting Contractors; Carmelo Gonzalez, individually and as president; and Kurt Gehlken, individually and as vice 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.

The total back wages due the employees of Carmel, Inc., a/k/a Medka Construction Co., a/k/a Mantikas Construction Co., a/k/a Mantikas Construction Co., a/k/a Mantikas Painting Contractors, under the provisions of the Davis-Bacon Act is in the amount of \$98,988.95. The sum of \$51,338 will be transferred to this Office by the United States Veterans Administration. The firm is to remit the amount of \$47,650.95 to the Department of Labor for disbursement to the underpaid employees. These amounts, when received, 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
(Z-2574178(6))