

**GAO**

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

**Office of the General Counsel**

**B-230635**

**May 31, 1988**

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

**Dear Mr. Green:**

**Subject: Dimarco Corporation - Prime Contractor  
d/b/a Metro Gateway Painting  
Company - Subcontractor  
Contract No.: GS-06B-22110**

**and**

**Dimarco Corporation - Contractor  
Contract No.: DMA700-82-C-0099**

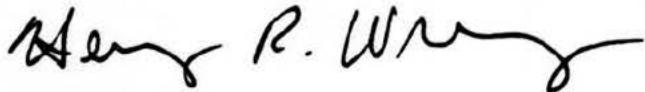
**DOL File No.: MO-83-467**

**The Administrator, Employment Standards Administration,  
United States Department of Labor, by a letter dated  
March 3, 1988, submitted to us the above-referenced case  
involving violations of the Davis-Bacon Act, 40 U.S.C.  
§ 276a to 276a-5 (1982). She did not recommend debarment  
under these contracts of either the Dimarco Corporation or  
d/b/a Metro Gateway Painting Company.**

**We agree that neither the Dimarco Corporation under either  
contract, nor d/b/a Metro Gateway Painting  
Company under contract number GS-06B-22110, should be  
debarred. Our review of the record confirms that the  
violations in this case were not substantial and did not  
constitute a disregard of obligations to employees with  
respect to the minimum wage provisions of the Davis-Bacon  
Act.**

The withheld funds, \$2,501.99, have not been received by our Office. When these funds are received, they will be disbursed to the wage claimants in accordance with established procedures.

Sincerely yours,



Henry R. Wray  
Associate General Counsel

cc: Harold D. Westerhold, President  
Dimarco Corporation  
3995 Woodcrest Drive  
Florissant, Missouri 63033

d/b/a Metro Gateway  
Painting Company  
6858 Plymouth  
Universal City, Missouri 63130

Kenwyn A. Redding, Esquire  
104 North Main Street  
East St. Louis, Illinois 62201

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