

**GAO**

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

**Office of the General Counsel**

B-221777

September 25, 1987

Mr. Curtis W. Pippenger  
President  
Mr. Andrew J. Kwart  
Vice President  
Engineered Framing Systems, Inc.  
13135 Evans Road  
Elbert, Colorado 80106

Dear Mr. Pippenger and Mr. Kwart:

Subject: Curtis W. Pippenger, President  
Andrew J. Kwart, Vice President  
Engineered Framing Systems, Inc.  
Elbert, Colorado  
Contract No. DACA 45-83-C-0077  
Construction of Building 1200 and 1202  
Fort Carson, Colorado

DOL File No. CO-85-501

The Administrator, Employment Standards Administration, United States Department of Labor, by letter dated August 27, 1987, recommended to our Office that Engineered Framing Systems, Inc., Curtis W. Pippenger, individually and as its president, and Andrew J. Kwart, individually and as its 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), and the Contract Work Hours and Safety Standards Act, 40 U.S.C. § 327 et seq., with respect to the above contract.

We concur with the Administrator's recommendation. The Davis-Bacon Act provides that the Comptroller General is to debar persons or firms whom he finds have disregarded their obligation 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 the obligation to employees with respect to the minimum wage provisions of the Davis-Bacon Act.

Accordingly, Engineered Framing Systems, Inc., Curtis W. Pippenger, individually and as its president, and Andrew J. Kwart, individually and as its vice president, will be included on a list of ineligible bidders 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 unpaid back wages for the violations in the amount of \$15,384.57 which are on deposit with our Claims Group will be disbursed 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 Labor Department enclosures