



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

Office of the General Counsel

B-227317

August 28, 1987

Mr. Daniel Uribe, Owner
Uribe Landscaping
3414 Menard Street
National City, California 92050

Dear Mr. Uribe:

Subject: Uribe Landscaping
Contract No. N62474-79-C-5523
Naval Reserve Center
Mira Mesa, California
DOL File No. CAL-85-376

The Administrator, Employment Standards Administration, United States Department of Labor, by letter dated May 19, 1987, recommended to our Office that Mr. Daniel Uribe and Uribe Landscaping 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 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, Mr. Daniel Uribe and Uribe Landscaping 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.

Funds are not available at the General Accounting Office to make restitution to the workers involved.

Sincerely yours,

Robert L. Wray
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 file