



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

B-227389

June 29, 1987

Mr. Carl Mitchell
Owner
Mitchell Construction
1541 North China Lake Boulevard
Ridgecrest, California 93555

Dear Mr. Mitchell:

Subject: Carl Mitchell, Owner
Mitchell Construction
Ridgecrest, California
Contract No. F04684-84-C0083
New Commissary Facility
Vandenberg Air Force Base, California

DOL File No. 85-910-01685

The Administrator, Employment Standards Administration, United States Department of Labor, by letter dated June 3, 1987, recommended to our Office that Mitchell Construction and Carl Mitchell, individually and as owner, be placed on the ineligible bidders list for the violations of the Davis-Bacon Act, 40 U.S.C. §§ 276a to 276a-5 (1982), 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 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 the obligation to employees with respect to the minimum wage provisions of the Davis-Bacon Act.

Accordingly, Mitchell Construction and Carl Mitchell, individually and as owner, 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.

Sincerely yours,

Robert L. Higgins for

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