



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

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Office of the General Counsel

B-224044

January 13, 1987

Mr. Kenneth J. Polk, President  
Mrs. Nancy M. Polk, Treasurer  
Mr. Kenneth A. Polk, Chairman of the Board  
Polk and Son Electrical Contractors, Inc.  
6205 East 38th Street  
Indianapolis, Indiana 46226

Dear Messrs. Polk and Mrs. Polk:

Subject: Focus Building Systems, Inc. - Prime  
Contractor  
Polk and Son Electrical Contractors, Inc. -  
Subcontractor  
Contract Nos: V583C-441, V583C-454 and  
V583C-448  
DOL File No: IND-84-383

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated August 19, 1985, recommended to our Office that Polk and Son Electrical Contractors, Inc., and Kenneth J. Polk, Nancy M. Polk, and Kenneth A. Polk, individually and as President, Treasurer, and Chairman of the Board, respectively, 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 contracts.

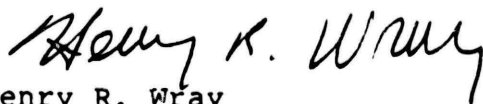
We concur with the Assistant Administrator's recommendation. The Davis-Bacon Act provides that the Comptroller General is to debar persons or firms whom he finds have disregarded their obligations to employees under the Act. 40 U.S.C. § 276a-2. Our review of the record confirms that there were substantial 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, Polk and Son Electrical Contractors, Inc., and Kenneth J. Polk, Nancy M. Polk, and Kenneth A. Polk, individually and as President, Treasurer, and Chairman of the Board, respectively, 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 funds on deposit with our Claims Group, \$16,045.93 which were withheld for the violations 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 S35.18  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

Group Director, GGD  
Claims Group  
(with Z-files 2863638 and  
(1) and (2))