

# GAO

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

**Office of the General Counsel**

B-223072

October 24, 1986

Mr. Robert S. Edwards, Jr., Partner  
Robert Edwards, Sr., Partner  
Big "D" Painting Company  
150 Peach Valley  
San Antonio, Texas 78227

Dear Messrs. Edwards:

Subject: Hero, Inc. - Prime Contractor  
Big "D" Painting Company - Subcontractor  
Contract No.: F41800-81-D0092  
DOL File No.: TX-83-98

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated April 22, 1986, recommended to our Office that Big "D" Painting Company and Mr. Robert S. Edwards, Jr., and Mr. Robert Edwards, Sr., individually and as owners of the Big "D" Painting Company, be placed on the ineligible bidders list for having committed 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 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, Big "D" Painting Company and Mr. Robert S. Edwards, Jr., and Mr. Robert Edwards, Sr., individually and as its owners, 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.

Sincerely yours,

*Henry R. 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 Z-2864249)