

GAO

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

Office of the General Counsel

3-222765

October 7, 1986

Mr. Leslie Stines, Owner
Ms. Marion Stines, Owner
Stines Construction Company
126 Turner
Gridley, California 95948

Dear Mr. Stines and Ms. Stines:

Subject: Stines Construction Company
Contract No. 50-9A13-3-47
Gold Lake Launch Facility
DOL File Number CA-85-588

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated March 24, 1986, recommended to our Office that Stines Construction Company and Leslie Stines and Marion Stines, individually and as owners, 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 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 for the Davis-Bacon Act.

Accordingly, Stines Construction Company and Leslie Stines and Marion Stines, individually and as owners, 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.

According to the record, your firm has made arrangements for the payment of the back wages to your underpaid employees.

Sincerely yours,

Robert L. Higgin
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, NW.
Washington, D.C. 20210

Group Director, Claims Group/GGD
with file Z-2864209