



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

Office of the General Counsel

B-223067

September 5, 1986

Mr. Dick McQueary
d/b/a Dick McQueary Contractor
Post Office Box 1995
Palm Desert, California 92261

Dear Mr. McQueary:

Subject: Claude E. Atkins Enterprise, Inc. -
Prime Contractor
Dick McQueary Contractor -
Lower-Tier Subcontractor
Contracts Nos.: N62474-81-C-8168
N62474-82-C-0245
Marine Corps Air Ground Combat Center
Twentynine Palms, California
DOL File No.: IX-85-CA-97

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated January 30, 1986, has recommended to our Office that the names Dick McQueary Contractor and Dick McQueary, individually and as Owner, 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 their employees under the Act. See 40 U.S.C. § 276a-2. Our review of the record in this case confirms that there were substantial violations which constitute a disregard of obligations to your employees with respect to the minimum wage provisions of the Act.

Accordingly, your name and that of Dick McQueary Contractor, will be included on a list of ineligible bidders to be distributed to all departments of the Federal government. Pursuant to statutory direction (40 U.S.C. § 276a-2), no contract shall be awarded to Dick McQueary Contractor, or to you, individually, or to any firm, corporation, partnership

or association in which you have an interest until 3 years have elapsed from the date of publication of that list.

Sincerely yours,

A handwritten signature in black ink, reading "Henry R. Wray". The signature is written in a cursive style with a large, stylized "H" and "W".

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 files Z-2864092(0) and (1)