

GAO

**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**

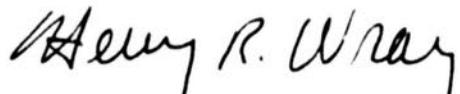
**The Assistant Administrator, Employment Standards
Administration, United States Department of Labor, by
letter dated January 30, 1986, has recommended to our
Office that the names Dick McQueary Contractor and
Dick McQueary, individually and as Owner, be placed on
the ineligible bidders list for violations 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 con-
stitute 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,



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)