



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

Office of the General Counsel

B-222059

August 28, 1986

J. D. Gill, President  
Tommy R. Gill, Vice President  
Bobby G. Gill, Secretary/Treasurer  
American Building Contractors, Inc.  
Route 2, Box 14-A  
Haughton, Louisiana 71037

Gentlemen:

Subject: American Building Contractors, Inc.  
Contract Nos. V667C-599 and V667C-617  
VA Medical Center  
Shreveport, Louisiana

Contract No. F 16602-83-C-0016  
Barksdale AFB, Louisiana  
DOL File No. VI-AR-84-17

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated October 25, 1985, recommended to our Office that American Building Contractors, Inc., J. D. Gill, Tommy R. Gill, and Bobby G. Gill, individually and as President, Vice President, and Secretary/Treasurer, respectively, be placed on the ineligible bidders list for violations of the Davis-Bacon Act, 40 U.S.C. §§ 276a to 276a-5 (1982), the Contract Work Hours and Safety Standards Act, 40 U.S.C. § 276a-2, and the Copeland "Anti-Kickback" Act with respect to the above contract.

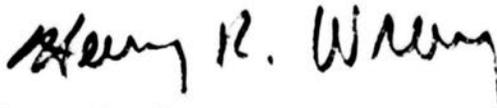
We concur with the Assistant Administrator's recommendation. The Davis-Bacon Act provides that the Comptroller General is to debar persons or firms whom he finds have disregarded their obligations to employees under the Act. 40 U.S.C. § 276a-2. Our review of the record confirms that there were substantial violations in this case which constitute a disregard of obligations to employees with respect to the minimum wage provisions for the Davis-Bacon Act, as well as

violations of the Copeland "Anti-Kickback" Act, which were found to have been aggravated or willful.

Accordingly, American Building Contractors, Inc., J. D. Gill, Tommy R. Gill, and Bobby G. Gill, individually and as President, Vice President, and Secretary/Treasurer, respectively, 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, at the conclusion of the Department of Labor's investigation, full restitution was made to your firm's underpaid employees.

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-2863876, Z-2863876(1), and  
Z-2863876(2).