



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

Office of the General Counsel

B-217197

August 21, 1986

Mr. Reed Cote
President +
Cote Building Contractors, Inc.
101 South Whitney Street
Hartford, Connecticut 06106

Dear Mr. Cote:

Subject: Command Construction Corp. - Prime Contractor
Cote Building Contractors, Inc. - Subcontractor
Contract No. DACA65-82-C-0064
Construction of 232 Family Housing Units
Fort Drum, Watertown, New York
DOL File No. NY-84-512


The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated August 19, 1985, recommended to our Office that Cote Building Contractors, Inc., and Reed Cote, individually and as President of Cote Building Contractors, Inc., be placed on the ineligible bidders list for violations of the Davis-Bacon Act, 40 U.S.C. §§ 276a to 276a-5(1982) and the Contract Work Hours and Safety Standards Act, 40 U.S.C. 327 et seq., with reference to the above contract.

We concur with the Assistant Administrator's recommendation. The Davis-Bacon Act provides that the Comptroller General is to bar 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 the obligation to employees with respect to the minimum wage provisions of the Davis-Bacon Act.

Accordingly, Cote Building Contractors, Inc., and Reed Cote, individually and as its President, 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.

The back wages due your employees, computed in the amount of \$25,353.58, were paid to them by the prime contractor.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Robert L. Higgins 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, N.W.
Washington, D.C. 20210

Group Director, Claims Group/GGD
with file Z-2863635