



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

B-222057

July 10, 1986

Mr. Jack Mungall  
Vice President and Secretary  
Scigliano Roofing, Inc.  
aka Jim Scigliano Roofing Co.  
aka Scigliano Roofing  
Post Office Box 3537  
La Habra, California 90632-3537

Dear Mr. Mungall:

Subject: Scigliano Roofing, Inc.  
Contract Nos. DACA09-84-C-0015  
and DACA05-83-C-0071  
DOL File No. IX-85-CA-83/84

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated September 17, 1985, recommended to our Office that Scigliano Roofing, Inc., aka Jim Scigliano Roofing Co., aka Scigliano Roofing, James C. (Jim) Scigliano, and Jack Mungall, individually and as President and Owner and Vice President and Secretary, respectively, be placed on the ineligible bidders list for having committed violations of the Davis-Bacon Act, 40 U.S.C. §§ 276a to 276a-5 (1982) with respect to the above-referenced contracts.

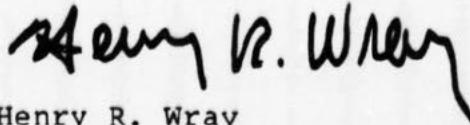
We concur with the Assistant Administrator's recommendation. The Davis-Bacon Act provides that the Comptroller General is to debar persons or firms whom he finds have disregarded their obligations to employees under the Act. 40 U.S.C. § 276a-2. Our review of the record confirms that there were substantial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

Accordingly, Scigliano Roofing, Inc., aka Jim Scigliano Roofing Co., aka Scigliano Roofing, James C. (Jim) Scigliano, and Jack Mungall, individually and as President and Owner and Vice President and Secretary, respectively, will be included

on a list 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.

Inasmuch as Scigliano Roofing, Inc. has made full restitution of back wages due the employees who were underpaid, no distribution of funds is required.

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-2863773(0)(1)(2)