



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

B-221582

May 1, 1986

Mr. Joe H. Frederick, Jr.
President
Frederick Roofing Co., Inc.
3717 Taylorsville Road, Suite 127
Louisville, Kentucky 40220

Dear Mr. Frederick:

Subject: Frederick Roofing Co., Inc.
Louisville, Kentucky
Contract No. GS-05BC-82004
DOL File No. V/IN-84-073

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letters dated August 13, 1985, and November 13, 1985, recommended to our Office that Frederick Roofing Co., Inc. and Joe H. Frederick, Jr., individually and as President of Frederick Roofing Co., Inc., be placed on the debarred bidders list for violations of the Davis-Bacon Act with respect to the above-referenced 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 of the Davis-Bacon Act.

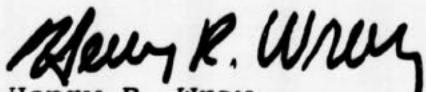
Accordingly, Frederick Roofing Co., Inc. and Joe H. Frederick, Jr., individually and as President, will be included on a list to be distributed to all departments of the Government. Pursuant to statutory direction at 40 U.S.C. § 276a-2, no contract shall be awarded to them or to any firm, corporation, 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.

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We note that the record indicates that restitution has already been made to the workers involved.

Sincerely yours,


Henry R. Wray
Associate General Counsel

cc: Sylvester L. Green, Director
Contract Standards Operations
U.S. Department of Labor
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200 Constitution Avenue, N.W.
Washington, D.C. 20210

Group Director, Claims Group/GGD
with file Z-2863621