



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

Office of the General Counsel

B-228730

August 26, 1987

Mr. Phil Hogan
Owner
Phil Hogan Roofing Company
9700 N.E. 208th Avenue
Vancouver, Washington 98662

Dear Mr. Hogan:

Subject: Phil Hogan, Owner
Phil Hogan Roofing Company
Vancouver, Washington
Contract No. GS-10B-E-02397-00
Reroofing of Pioneer Courthouse
Portland, Oregon

DOL File No. ORE-82-549

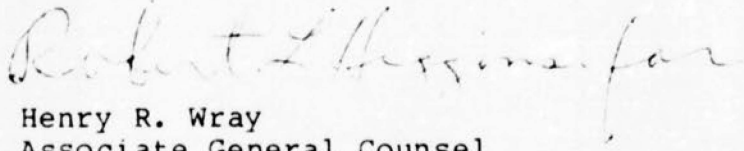
The Administrator, Employment Standards Administration, United States Department of Labor, by letter dated August 6, 1987, recommended to our Office that Phil Hogan Roofing Company and Phil Hogan, individually and as owner, be placed on the ineligible bidders list for violations of the Davis-Bacon Act, 40 U.S.C. §§ 276a to 276a-5 (1982), with respect to the above contract.

We concur with the 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 the obligation to employees with respect to the minimum wage provisions of the Davis-Bacon Act.

Accordingly, Phil Hogan Roofing Company and Phil Hogan, individually and as owner, 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 record indicates that restitution has 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
Room S3518
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Group Director, Claims Group/GGD
with Labor Department enclosures