

9251 Proc I

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

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FILE: B-194102

DATE: March 1, 1979

CNG 294

MATTER OF: Edward E. Davis Contracting, Inc.

DIGEST:

[Protest of Wage Rate Included in IFB]

Protest against 40-percent increase in pay scale under wage determination may not be considered by GAO since correctness of wage determinations made by Department of Labor is not subject to review by GAO. 29 C.F.R. part 7 provides administrative procedures for challenge of wage determination.

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Edward E. Davis Contracting, Inc., (Davis), has questioned the wage rate included in invitation for bids No. DABT02-79-B-0035 issued by Fort McClellan, Alabama. Davis argues that the new rate for soft floor layers is a 40-percent increase over the wage rate contained in last year's wage determination and violates the President's wage increase determination guidelines.

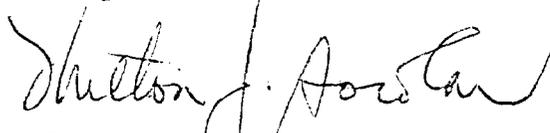
Our Office is precluded from reviewing the correctness of a wage determination in situations such as we have in the present case. See International Union of Operating Engineers, B-182408, February 12, 1975, 75-1 CPD 90. The protester can avail itself of the administrative process established by 29 C.F.R., part 7 (1977), whereby wage determinations can be challenged through the Department of Labor. Associated General Contractors of America, Inc., Arkansas Chapter B-190775, January 17, 1978, 78-1 CPD 40.

In view of the fact that the matter complained of relates to the propriety or correctness of a wage

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determination and this Office is precluded from reviewing such matters, we are unable to take any action in connection with this protest.



Milton J. Socolar
General Counsel