

1981/10

DECISION



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

FILE: B-203287

DATE: June 3, 1981

MATTER OF: Professional Carpet Service

DIGEST:

GAO does not review the accuracy of wage rate determinations issued by the Department of Labor in connection with solicitations subject to the Service Contract Act.

Professional Carpet Service protests the correctness of a Service Contract Act wage determination incorporated into General Service Administration solicitation No. GSD-W DPR-100005A for carpet installation service. Professional Carpet complains that prevailing rates in the area in which the services are to be performed were not considered.

Since the courts have held that the correctness of a prevailing wage rate determination made by the Secretary of Labor is not subject to judicial review, this Office does not review the accuracy of wage rate determinations issued by the Department of Labor in connection with solicitations subject to the Service Contract Act. A challenge to a Service Contract Act wage determination should be processed through the administrative procedures established by the Department of Labor. Aleman Food Service, Inc., B-201470, December 29, 1980, 80-2 CPD 446.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

[Protest concerning correctness of wage rate determination]

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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

B-203287

June 3, 1981

The Honorable Michael D. Barnes
U.S. House of Representatives

Dear Mr. Barnes:

We refer to your interest in the protest of Ms. Joan Estrada, d.b.a. Professional Carpet Service. We dismissed the protest today because the matter complained of--an alleged incorrect prevailing wage rate determination--is within the jurisdiction of the Department of Labor.

Sincerely yours,

A handwritten signature in cursive script that reads "Harry R. Van Cleve".

Harry R. Van Cleve
Acting General Counsel

Enclosure