

DECISION



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

May 23, 1984

FILE: B-215176

MATTER OF: Alabama Metal Products, Inc.

DIGEST:

GAO does not consider complaint that a firm is not a regular dealer or a manufacturer under the Walsh-Healey Public Contracts Act. By law, such matters are for determination by the contracting agency in the first instance, subject to final review by the Small Business Administration (if a small business is involved) and the Secretary of Labor.

Alabama Metal Products, Inc. (AMPCO) protests award of a contract to Peterson-KLN (Peterson) for wardrobes and cabinets by the Department of the Navy, Naval Supply Center, Oakland, California. AMPCO contends that Peterson is neither a manufacturer nor a regular dealer under the guidelines of the Walsh-Healey Act. We dismiss the protest.

We do not consider complaints that a firm is not a regular dealer or a manufacturer under the Walsh-Healey Public Contracts Act, 41 U.S.C. §§ 35-45 (1982). By law, such matters are for determination by the contracting agency in the first instance, subject to final review by the Small Business Administration (if a small business is involved) and the Secretary of Labor. Jack Roach Cadillac, Inc., B-210043, June 27, 1983, 83-2 CPD ¶ 25.

The protest is dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel