

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

28418

FILE: B-215158**DATE:** May 31, 1984**MATTER OF:** Gulf Apparel Corporation**DIGEST:**

Protest that bidder will not perform in labor surplus area concerns a matter of responsibility which GAO will not review.

Gulf Apparel Corporation (Gulf) protests the award of a contract to any other party under invitation for bids (IFB) No. DLA100-84-B-0504 issued by the Defense Personnel Support Center, Defense Logistics Agency, for 472,160 shirts.

One-half of the requirement was open to competition on an unrestricted basis while the other half was limited to small business with an award preference for labor surplus area (LSA) concerns. When bids were opened, Gulf, which did not indicate that it qualified for LSA status, was low bidder and was subsequently awarded the unrestricted portion of the procurement. All but one of the five other bidders indicated that their contracts would be performed in LSA's. Gulf contends that the bids of those promising to perform in an LSA should be rejected because "none of the other bidders can claim labor surplus area status for this procurement because, for each concern, less than 50 percent of its costs will be incurred in a labor surplus area."

We dismiss the protest.

To the extent that Gulf is contending that a contract should not be awarded to a competing bidder because of its inability to perform in an LSA, it is challenging a competitor's responsibility. See Lou Ana Foods, Inc., 61 Comp. Gen. 385 (1982), 82-1 CPD 484. Our Office does not review protests alleging nonresponsibility, except in limited circumstances not present here. Mutual Industries, Inc., B-210968, June 10, 1983, 83-1 CPD 643.

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

029017