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**DECISION**



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

**FILE:** B-217377 **DATE:** January 24, 1985  
**MATTER OF:** Churchill Corporation *AA 0036*

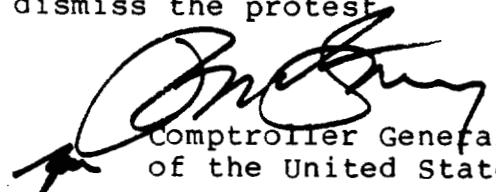
**DIGEST:**

Where bidder is rejected as nonresponsible for failure to qualify as a regular dealer or manufacturer under the Walsh-Healey Act, protest is dismissed since by law such determination is for contracting agency subject to final review by Small Business Administration, where bidder is small business, and Department of Labor.

Churchill Corporation (Churchill) protests its rejection as nonresponsible under invitation for bids No. DLA 120-84-B-3036 issued by the Defense Personnel Support Center (DPSC). Churchill was found nonresponsible because it failed to qualify as a regular dealer within the meaning of the Walsh-Healey Act, 41 U.S.C. § 35 (1982). *DORIS 000*

Our Office does not consider issues as to whether a bidder is a regular dealer or manufacturer within the meaning of the Walsh-Healey Act, since such matters are by law for the contracting agency's determination, subject to final review by the Small Business Administration, where the bidder is a small business, and the Department of Labor. Attack Incorporated, B-208512, Sept. 15, 1982, 82-2 C.P.D. ¶ 227; Express Marketing International Oil Corporation, B-207322, May 11, 1982, 82-1 C.P.D. ¶ 457.

Therefore, we dismiss the protest.

  
Comptroller General  
of the United States

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