



United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-225828

June 12, 1987

Michael Ray, President
Discount Machinery & Equipment, Inc.
925 Hampton Avenue
Brooklyn, New York 11235

Dear Mr. Ray:

This refers to your protest against the award of a contract to Foxco, Inc., under request for proposals (RFP) No. DAAE07-86-R-Q032, issued by the United States Tank-Automotive Command (TACOM), Warren, Michigan, for a Bridgeport engine lathe or equal. You allege that TACOM improperly evaluated your offer under the Buy American Act. In particular, you state that TACOM should not have determined that your lathe was a foreign product because the cost of the components manufactured in the United States exceeds 50 percent of the cost of the foreign components, thereby making it a domestic product as defined in the Federal Acquisition Regulation (FAR), 48 C.F.R. § 25.101 (1986).

TACOM recently advised that, in light of your protest, the determination that your lathe was a foreign product is being reconsidered and therefore it has requested that you furnish more detailed information, including a cost breakdown of the components in your lathe. In view of this, we are closing our file in the matter because the agency is providing you the appropriate remedy required by our cases. See Ampex Corporation, B-203021, Feb. 24, 1982, 82-1 C.P.D. ¶ 163; TFI Corporation, B-192879, Apr. 23, 1980, 80-1 C.P.D. ¶ 287. If you object to the agency's reevaluation of your offer, then you may protest in accordance with our Bid Protest Regulations. See 4 C.F.R. § 21.0 et seq. (1986).

Sincerely yours,

Robert M. Strong
Deputy Associate
General Counsel