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General Counsel



**DECISION**

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

FILE: B-200168

DATE: September 24, 1980

MATTER OF: ESA General Contractors

**DIGEST:**

1. Allegation that accepted bid is unreasonably low implies that bidder will be unable to perform at bid price, which is matter of bidder responsibility not for resolution under GAO Bid Protest Procedures except in circumstances not applicable here.
2. Allegation that awardee will fail to perform contract properly is matter of contract administration not for resolution under GAO Bid Protest Procedures.

ESA General Contractors (ESA) protests the award of a contract under invitation for bids (IFB) No. 5-98120-026 issued by the Goddard Space Flight Center, National Aeronautics and Space Administration. ESA claims that the bid price accepted by the agency is unreasonable and will lead to poor performance of services.

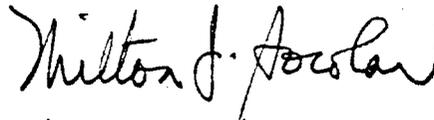
ESA's allegation that the accepted bid is unreasonably low implies that the awardee will be unable to perform at this price, a matter of bidder responsibility. The contracting officer has determined the awardee to be responsible and we will not review protests against affirmative determinations of responsibility unless either fraud is alleged on the part of procuring officials or the solicitation contains definitive responsibility criteria which allegedly have not been applied. The Nedlog Company, B-195963, January 10, 1980, 80-1 CPD 31. Neither exception is applicable here.

Whether the awardee actually performs the contract in accordance with the specifications is a matter of contract administration, which is the function and responsibility of the procuring activity. Precision Environments, Inc., B-198418, April 29, 1980, 80-1 CPD

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306. If it is determined that the awardee is not performing the contract properly, the contract may be terminated for default. However, this is a matter of contract administration which we do not consider under the Bid Protest Procedures. Mainline Carpet Specialists, Inc., B-192534, May 8, 1979, 79-1 CPD 315.

This protest is dismissed.



Milton J. Socolar  
General Counsel