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DECISION



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

FILE: B-203175

DATE: June 5, 1981

MATTER OF: AAA Forestry Services, Inc. *200 264*

DIGEST:

[Protest that certain of contract awardee's business practices are improper] involves challenge to agency's affirmative determination of awardee's responsibility, which GAO does not review except in limited circumstances not indicated here.

AAA Forestry Services, Inc. (AAA) protests the award of a contract to FlamBeau Stump Jumpers (Jumpers) under solicitation No. R9-Z-81-25, issued by the Department of Agriculture. AAA contends that certain of Jumpers' business practices are improper in that the firm allegedly does not withhold Federal and state income taxes for its employees and does not provide for unemployment insurance or workmen's compensation. *Dec 20 1981*

@ 4 FPR These allegations involve Jumpers' responsibility, see Federal Procurement Regulations (FPR) § 1-1.1203-1 (1964 ed.), and in making the award the agency determined that Jumpers was a responsible firm. See FPR § 1-1.1202. We will not review an affirmative determination of responsibility unless the protester shows either that contracting officials may have committed fraud or that the solicitation contained definitive responsibility criteria which were not applied. Patterson Pump Company; Allis-Chalmers Corporation, B-200165, B-200165.2, December 31, 1980, 80-2 CPD 453. Neither exception is involved here.

The protest is dismissed.

Harry R. Van Cleve
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Acting General Counsel

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