

DECISION



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

60539

FILE: B-185650

DATE: February 19, 1976

MATTER OF: Harris System Termite Co.

98586

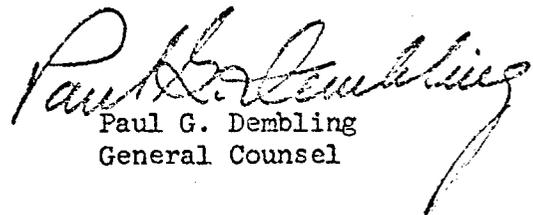
DIGEST:

Protest alleging that low bidder is not responsible and therefore should not receive award, is not for consideration by GAO.

Harris System Termite Co. (Harris) has protested award to ABC Pest Control, the low bidder, under invitation for bids (IFB) No. 13-76-115, issued by the Department of Housing and Urban Development, on the grounds that ABC is not capable of performing the specified work at its bid price.

The protest challenges the responsibility of ABC and its eligibility for contract award. However, while this Office does review protests involving agency determinations of nonresponsibility to assure that bids are not arbitrarily rejected, we do not, as a general rule, review protests alleging that bidders are nonresponsible. If a contracting officer finds a bidder to be responsible, we will not disturb this finding, except for actions by procuring officials which are tantamount to fraud or unless the solicitation contains definitive standards of responsibility which allegedly have not been followed. Parsons Custom Products, Inc., B-185104, November 14, 1975, 75-2 CPD 311. Since no such allegations have been raised here, we must decline to consider the matter.

Accordingly, the protest is dismissed.


Paul G. Dembling
General Counsel