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DECISION



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

FILE: B-208139

DATE: August 3, 1982

MATTER OF: Cascade Pacific International, Inc.

DIGEST:

GAO dismisses claim because the question of whether the contracting officer properly withheld amounts due a contractor as a result of default terminations is a matter for the contracting officer to resolve (subject to appeal) as provided in the Contract Disputes Act of 1978.

Cascade Pacific International, Inc. (Cascade), claims the amount of \$16,536.58 plus interest on the ground that the General Services Administration (GSA) improperly withheld that amount, which was due Cascade for performance under two contracts. We dismiss the matter because under the Contract Disputes Act of 1978, the resolution of Cascade's claim is a matter for the contracting officer (subject to appeal) as provided in the act.

Cascade states that GSA terminated for default two contracts with Cascade and GSA notified Cascade that the excess costs of procurement would be assessed against Cascade. Without further notice, GSA withheld the amount claimed from payments due to Cascade on two other contracts. Cascade also states that it has appealed the two default terminations to the GSA Board of Contract Appeals.

The Contract Disputes Act of 1978 provides that all claims by a contractor against the Government relating to a contract shall be in writing and shall be submitted to the contracting officer for a decision. 41 U.S.C. § 605(a) (Supp. III, 1979). Further, the act provides that the contracting officer's decision shall be final and not reviewable unless appealed by the contractor. 41 U.S.C. § 605(b) (Supp. III, 1979).

In our view, the question of whether the contracting officer properly withheld amounts due Cascade under Cascade's contracts is a claim by a contractor against the Government within the meaning of the act. Accordingly, the final resolution of Cascade's claim is a matter for the contracting officer subject to appeal as provided in the act. See Allied Research Associates, Inc., B-183420, July 15, 1975, 75-2 CPD 38.

Thus, the claim is dismissed.

J. H. Barclay Jr.
For Harry R. Van Cleve
Acting General Counsel