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

FILE: B-211167   DATE: April 14, 1983

MATTER OF: Chapman College

DIGEST:

> Protest that low bidder (1) submitted an
> unrealistically low bid and (2) cannot
> properly conduct and maintain quality of
> college level academic program so as to
> adequately serve Navy personnel involves
> affirmative determination of responsi-
> bility which is not reviewed by GAO in
> absence of circumstances not present here.

Chapman College (Chapman) protests the Department of
the Navy's (Navy) award of a contract to Central Texas
College (Central Texas) under solicitation No. N00612-82-R-
0430. This contract is for an academic program known as the
Program for Afloat College Education (PACE) for the Pacific
Fleet. We dismiss the protest.

Chapman contends that the bid submitted by Texas
Central is unrealistically low and that qualified civilian
college instructors cannot be recruited and retained based
on the amount bid for each three-credit cycle. We have held
that whether a bidder can perform at its bid price is a
question which goes to the responsibility of the bidder.
See Virginia Manufacturing Company, B-202393, July 9, 1981,
81-2 CPD 25. Here, the Navy made an affirmative determina-
tion of responsibility. This Office does not review such
determinations unless fraud or bad faith is shown on the
part of procuring officials, or the solicitation contains
definitive responsibility criteria which allegedly have not
been met. Young Patrol Service, B-205014, October 13, 1981,
81-2 CPD 307. Neither exception is present here.

Chapman also contends that the program cannot be
properly conducted, quality maintained and the educational
needs of Navy personnel adequately served under the academic
arrangements proposed by Central Texas. These, too, are

matters of responsibility and, for the reasons set out
above, our Office will not review the contracting officer's
affirmative determination in regard to these matters. See
Freund Precision, Inc., B-208455, August 18, 1982, 82-2 CPD
155.

The protest is dismissed.

Harry R. Van Cleve
Acting General Counsel