

25886 Harrington

DECISION



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

FILE: B-212342

DATE: August 2, 1983

MATTER OF: Consulting and Program Management
Services, Inc.

DIGEST:

GAO will not review an agency's affirmative determination of responsibility absent either a showing of possible fraud on the part of the contracting officials, or misapplication of definitive responsibility criteria.

Consulting and Program Management Services, Inc. (CPMS) has filed a pre-award bid protest in connection with Department of Labor/Employment Training Administration solicitation NO. ETA-OC 83-04. CPMS questions the integrity of a competing offeror, Technical Assistance Group, Inc., who the protester alleges was disqualified from consideration under other Department of Labor contracts for conflict of interest reasons. We dismiss the protest.

The question of the integrity of an offeror is a matter for the contracting officials in determining a prospective contractor's responsibility. Federal Procurement Regulations § 1-1.1203-1 (1964 ed.). Our Office will not review an agency's affirmative determination of responsibility unless there is showing of possible fraud or bad faith on the part of procuring officials, or the solicitation contains definitive responsibility criteria which allegedly have not been applied. Northern Virginia Service Corporation, B-209087, November 8, 1982, 82-2 CPD 414. Neither circumstance has been shown here; therefore, the protest is dismissed.

J. H. Barclay, Jr.
for Harry R. Van Cleave
Acting General Counsel