

**DECISION**

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

26695

FILE: B-213502

DATE: November 7, 1983

MATTER OF: Barwood, Inc.

**DIGEST:**

1. Whether there is a violation of local law is a matter for local authorities and not GAO.
2. GAO does not review affirmative determination of responsibility except in limited circumstances.

Barwood, Inc. (Barwood), protests the award of a contract to Silver Spring Taxi, Inc., under solicitation No. 263-83-B(87)-0180 issued by the National Institutes of Health for 24-hour passenger service.

Essentially, Barwood contends that the Silver Spring Taxi offer violates county law and also questions whether Silver Spring Taxi is capable of providing the service in the solicitation.

We dismiss the protest.

Whether Silver Spring Taxi is in violation of local law is a matter for local authorities and not our Office. Hooper Goode, Inc., B-209830, March 30, 1983, 83-1 CPD 329.

Whether Silver Spring Taxi is capable of providing the service in the solicitation is a matter of responsibility. Hunt Manufacturing Co., B-211563, May 20, 1983, 83-1 CPD 544. Our Office does not review an affirmative determination of responsibility absent a showing that the contracting officer acted fraudulently or in bad faith or that definitive responsibility criteria in the solicitation were not met. Bid Protest Procedures, 4 C.F.R. § 21.3(g)(4), added by 48 Fed. Reg. 1932 (1983); Merchants Rent-A-Car, Inc., B-211934, June 15, 1983, 83-1 CPD 659. Neither exception applies here.

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Accordingly, we will not consider the protest.

*Harry R. Van Cleve*  
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Acting General Counsel