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DECISION



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

FILE: B-213640, B-213641 **DATE:** December 14, 1983

MATTER OF: Glenn T. Anderson, Inc.

DIGEST:

1. GAO will not consider protest against contract administration.
2. GAO generally will not review affirmative determination of responsibility.

Glenn T. Anderson, Inc. (Anderson), protests against contract awards to the high bidders in the Grapple Timber Sale and the Grouse Ridge II Salvage Sale conducted by the United States Forest Service, Olympic National Forest, Grays Harbor County, Washington.

Anderson contends that the high bidders are speculating on the immediate contracts and have a competitive advantage over Anderson because allegedly they have defaulted on other timber sales contracts, but have not been billed the cost of default with the result that they do not have that cost to consider in preparing their bid prices. In contrast, Anderson indicates it cannot submit high bids because it has performed contracts awarded to it without default at a substantial economic loss.

We dismiss the protest.

Essentially, Anderson is protesting against the alleged failure to collect from the defaulted contractors the cost of default. We will not consider this basis of protest because it involves contract administration which is the responsibility of the contracting agency and not for resolution as part of our bid protest function. Tangfeldt Wood Products, Inc., B-207688, May 3, 1983, 83-1 CPD 468.

By its statement that the high bidders are speculating on the immediate contracts, Anderson may be implying that the high bidders will not perform the contracts if they are not profitable. However, the question whether a bidder will

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honor its legal obligation if its bid is accepted concerns a matter of responsibility. NGC Investment and Development Corp., B-209982, January 13, 1983, 83-1 CPD 36. We generally will not review affirmative determinations of responsibility, except for circumstances not applicable here. NGC Investment and Development Corp., supra.

Further, to the extent that Anderson is protesting that the defaulted firms should be precluded from bidding, default on prior timber sales does not automatically render a firm ineligible for award and participation by a defaulted firm does not create an improper competitive situation. See Glenn T. Anderson, Inc., B-213585, November 23, 1983, 83-2 CPD ____.

Harry R. Van Cleve
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Acting General Counsel