

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

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FILE: B-212594**DATE:** January 23, 1984**MATTER OF:** Singleton Contracting Corp.**DIGEST:**

1. Questions regarding bond requirements which are implemented after contract award are matters of contract administration not cognizable under our Bid Protest Procedures.
2. As a general rule, whether a contracting agency should contract out for any particular work or perform it in-house is a policy matter which GAO will not review. The only exception to this rule is where an agency issues a competitive solicitation for the purpose of ascertaining the cost of contracting out. Although an IFB was issued here, it was not for the purpose of ascertaining the cost of contracting. Therefore, the exception is not applicable.

Singleton Contracting Corp. (Singleton) protests the decision of the Department of the Interior, Bureau of Indian Affairs (BIA), to terminate project No. W56-302/S31. Singleton asserts that it was awarded the contract on June 24, 1983, and that on July 28, 1983, BIA improperly terminated the contract and determined to have the work performed by agency personnel rather than by Singleton.

The protest is dismissed.

BIA terminated Singleton's contract for convenience when it was determined that individual sureties on the contractor's performance and payment bonds were not acceptable. Singleton argues that bonds submitted under the contract were sufficient and, therefore, the termination was improper.

We have held that questions regarding bond requirements which are to be implemented after contract award, including the question of whether the contracting agency should terminate that contract because of the contractor's failure to fulfill its contractual obligation, are matters of contract

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administration not cognizable under our Bid Protest Procedures. J & J Maintenance, Inc., B-202408, March 23, 1981, 81-1 CPD 219. 47 Comp. Gen. 1, 3 (1967). Thus, we will not consider this issue.

Singleton also protests the decision by BIA to perform the work under contract No. W56-302/S31 with its own personnel. We will only review a decision of this nature when a competitive solicitation has been issued for the purpose of determining the cost of contracting and it is alleged that the cost comparison between performing the work in-house and contracting out is faulty or misleading. Crown Laundry and Dry Cleaning, Inc., B-194505, July 18, 1979, 79-2 CPD 38. While an IFB was issued here, it was not for the purpose of determining the cost of contracting. See Garrison Construction Company, B-211359.2, October 31, 1983, 83-2 CPD 515. Rather, the IFB was issued for the purpose of selecting a contractor. In fact, this purpose was fulfilled when Singleton was selected for award. Therefore, the limited circumstances in which we will review an agency's decision to perform work in-house are not present in this case.

The protest is dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel