



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Kendall Data Center
File: B-226892
Date: May 14, 1987

DIGEST

Whether awardee will meet its contractual obligations to the government is a matter of contract administration, which is the responsibility of procuring agency and is not encompassed by the General Accounting Office's bid protest function.

DECISION

Kendall Data Center (KDC) protests the award of a contract to Offshore Data Entry (ODE) under invitation for bids (IFB) No. 51WCNF706043NG issued by the Department of Commerce, for key entry and data verification services.

The protest is dismissed.

KDC alleges that ODE will use Jamaican data entry operators who will be paid less than that required by the solicitation's Service Contract Act clause. KDC alleges that this violates the Fair Labor Standards Act, 29 U.S.C. § 206 (1982).

KDC's protest concerns whether ODE will comply with applicable contract requirements. Whether ODE will actually meet its contractual obligations to the Department of Commerce is a matter of contract administration, which is the responsibility of the procuring agency and is not encompassed by our bid protest function. Ridge, Inc., 65 Comp. Gen. 663, 86-1 C.P.D. ¶ 583.

Accordingly, the protest is dismissed.

A handwritten signature in black ink, appearing to read "Robert M. Strong".

Robert M. Strong
Deputy Associate General Counsel

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