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The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: MARCOR of California, Inc.

File: B-228138

Date: October 27, 1987

DIGEST

Question regarding fulfillment of payment and performance bond requirements, which are implemented after contract award is a matter of contract administration not cognizable under General Accounting Office Bid Protest Regulations.

DECISION

MARCOR of California, Inc. protests the adequacy of the payment and performance bond sureties of the first and second low bidders under solicitation No. N62474-87-B-0467, issued by the Naval Facilities Engineering Command for asbestos removal. MARCOR is the third low bidder.

We dismiss the protest.

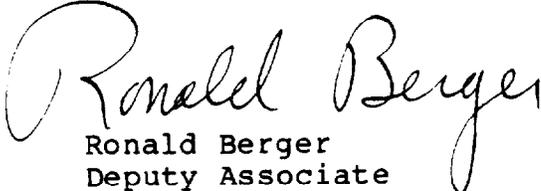
MARCOR alleges that because of the underwriting limitations of the two low bidders' sureties, they cannot provide adequate payment and performance bonds for the contract. MARCOR apparently assumes that the sureties providing the bid bonds will also provide the payment and performance bonds required of the awardee.

We have held that questions regarding an awardee's fulfillment of payment and performance bond requirements, which are to be implemented after contract award, are matters of contract administration which our Office does not review. Quality Construction--Request for Reconsideration, B-224021.3, Nov. 19, 1986, 86-2 C.P.D. ¶ 588; 4 C.F.R. § 21.3(f)(1) (1987). As long as the potential awardee submitted a proper bid bond, the government is protected from any possibility that the firm will not furnish

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performance and payment bonds. Bender Shipbuilding and Repair Co., Inc., B-219629.2, Oct. 25, 1985, 85-2 C.P.D. ¶ 462. MARCOR has not shown that the sureties in question exceeded their underwriting limitations for the bid bonds or alleged that the bid bonds were inadequate.

The protest is dismissed.



Ronald Berger
Deputy Associate
General Counsel