



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: INSCOM Electronics Corporation

File: B-228322

Date: October 30, 1987

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### DIGEST

1. Where an offeror promises to comply with the requirements of a solicitation, a contention that the offeror will be unable to comply with the requirements at the offered price constitutes an allegation that the offeror is not responsible; General Accounting Office does not review affirmative determinations of responsibility absent circumstances not applicable here.

2. Once an offeror promises to perform in accordance with a solicitation's requirements, whether contractor performs as contractually required is a matter of contract administration, which is the responsibility of the procuring agency and is not subject to review by the General Accounting Office under its bid protest function.

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### DECISION

INSCOM Electronics Corporation protests the award of a contract to AIW-Alton Iron Works, Inc. under request for proposals (RFP) No. N00104-87-R-XP87, issued by the Navy Ships Parts Control Center, Mechanicsburg, Pennsylvania for 23 circuit card assemblies. INSCOM states that its offer for the circuit card assemblies at \$4,500 each was based on use of a source-controlled transformer, the manufacturer of which quoted INSCOM a price of \$710.58 each. INSCOM states that, since the end item requires four transformers, AIW's offered price of \$1,744 per item suggests that the awardee will not furnish the required items at the contract price.

We dismiss the protest.

The record shows that AIW took no exceptions to the RFP requirements, that no negotiations were conducted, and that the award to AIW was based on the price competition provided by the initial proposals. Under these circumstances--where a firm has offered to perform as required--there is no legal basis for objecting to award to the firm on the basis of a possible below-cost offer, so long as the firm is found

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responsible. Supreme Automation Corp., et al., B-224158, et al., Jan. 23, 1987, 87-1 CPD ¶ 83.

Here, in making award to AIW, the Navy found the awardee to be a responsible offeror, since before a contracting officer can make an award he must make an affirmative determination of responsibility. See Federal Acquisition Regulation, 48 C.F.R. § 9.105-2(a)(1) (1986); The ARO Corp., B-222486, June 25, 1986, 86-2 CPD ¶ 6. Our Office will not review a contracting officer's affirmative determination of responsibility absent circumstances not relevant here. Scipar, Inc., B-220645, Feb. 11, 1986, 86-1 CPD ¶ 153.

To the extent that INSCOM argues that AIW will not perform in accordance with the RFP's requirement regarding the source controlled transformers, the protest concerns a matter of contract administration, which is for consideration by the Navy, not our Office. See Bid Protest Regulations, 4 C.F.R. § 21.3(f)(1) (1987); Motorola Communication & Electronics, Inc., B-223715, Sept. 19, 1986, 86-2 CPD ¶ 325.

The protest is dismissed.

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