

DECISION



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

60438

FILE: B-132740

DATE: January 28, 1976

MATTER OF: Arsko, Inc.

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DIGEST:

1. Request for GAO investigation into allegations of harassment due to racial prejudice and possible criminal activity to provide default basis by contract administration personnel declined as contract administration is function of contracting activity beyond GAO Bid Protest Procedures.
2. Information concerning possible criminal activity should be forwarded to Justice Department for whatever action deemed appropriate.

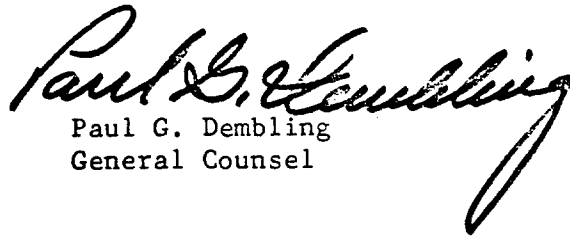
By mailgram dated December 24, 1975, Arsko, Inc. (Arsko), expressed its concern with events surrounding the administration of Arsko's janitorial services contract No. N62-474-C-6945, with the Office of Public Works, Alameda Naval Air Station, Alameda, California (Navy). Arsko complains that Navy personnel responsible for the administration of its contract are harassing Arsko in order to impede its work and create a basis for default. Arsko alleges that the undue harassment may be racially motivated and may have resulted in criminal activity.

We must decline to undertake the investigatory action requested. It appears from the mailgram that all of the actions to which Arsko's complaints are directed concern the manner in which the Navy is administering its contract. These are functions of the contracting activity and consideration of the merits of its contention is beyond the scope of our Bid Protest Procedures, 40 Fed. Reg. 17979 (1975).

As for the criminal aspects of Arsko's complaints, any information it possesses concerning violation of Federal statutes should be forwarded to the Department of Justice for whatever action the Department deems appropriate. Cf. Chemical Technology, Inc., B-182192, December 9, 1975.

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For the foregoing reasons, we must decline to undertake the requested investigation.


Paul G. Dembling
General Counsel