

**DECISION**



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

FILE: B-182899

DATE: February 6, 1976

MATTER OF: Harding Pollution Controls Corporation

**DIGEST:**

Allegations that contractor has failed to pass test requirement in contract and that therefore contract should be terminated involve matter of contract administration which is function and responsibility of contracting agency and not for resolution under bid protest procedures.

By letter dated January 7, 1976, counsel for Harding Pollution Controls Corporation (Harding) contends that the oil skimmer craft specifications in the contract awarded to Marco Pollution Control (Marco) under solicitation No. N00024-75-B-4208 issued by the Department of the Navy, Naval Sea Systems Command (NAVSEA), are not being followed.

Harding previously had protested against an award being made to Marco. That protest was considered and denied. Harding Pollution Controls Corporation, B-182899, July 3, 1975, 75-2 CPD 17.

Now, counsel for Harding has alleged that the belt used in the Marco oil skimmer craft tested under the contract specifications did not pass the test requirement and that therefore the contract should be terminated. This matter pertains to contract administration which is the function and responsibility of the contracting agency. Matters of contract administration are not for resolution under our bid protest procedures which are reserved for considering whether an award, or proposed award, of a contract complies with statutory, regulatory and other legal requirements. See Inter-Alloys Corporation, B-182890, February 4, 1975, 75-1 CPD 79. However, for Harding's information, we have been advised informally that Marco reran the reliability test referred to by Harding in full conformance with the terms of the contract and it was completed successfully.

In view of the foregoing, we will not consider the allegations on the merits.

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