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DECISION



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

FILE: B-200842

DATE: November 28, 1980

MATTER OF: The Management Training Center

DIGEST:

[Request For Review of Contract Awards]

Requests that propriety of contract awards under Federal grants be reviewed are considered by GAO under 40 Fed. Reg. 42406 (1975). However, where, as here, request relates to matters of contract performance and contract administration, not to award of contract, it is outside scope of 40 Fed. Reg. 42406. Request is accordingly dismissed.

By letter to our Office dated October 10, 1980, enclosing a copy of a September 3, 1980, letter to our Office which was not received, The Management Training Center (Center) requests our review of a contract awarded to Center by The Northeastern Washington--Northern Idaho Building and Construction Trades Council (Council), a subgrantee, pursuant to a Comprehensive Employment and Training Act of 1973 (CETA) grant. The contract awarded to Center was subsequently terminated by the Council.

The letters from Center state that the Spokane City--County Employment and Training Consortium (Consortium) received a CETA grant from the Department of Labor (DOL). The Consortium entered into a subgrant agreement with the Council. On September 17, 1979, the Council awarded a contract to Center requiring that Center develop and test a physical training program for increase of strength levels in selected preapprenticeship students under the preapprentice program administered by the Council.

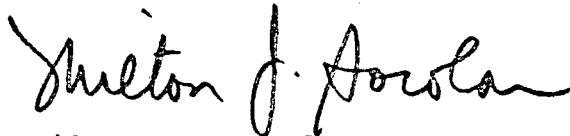
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By letter dated November 26, 1979, the Council advised Center that the Council was discontinuing use of its program, i.e., terminating Center's contract. The Council stated that Center "has apparently misconstrued the scope of the program" and, with respect to other portions of the program, Center either ignored or did not complete them. The Council sent Center a check, dated November 15, 1979, which stated "Final Payment/Physical Training," for a 5-week period that commenced on October 8, 1979. Center denies that it breached the contract and requests "restitution of funds and a chance to continue providing this work oriented physical fitness training to people who are attempting to enter into nontraditional jobs." We note that Center was paid \$3,300 for performing the first cycle of this nine-cycle contract and has submitted its invoice to the Council for \$9,525 for the remainder of its contract with the Council.

Our reviews of grant complaints under 40 Fed. Reg. 42406, September 12, 1975, deal with the propriety of the procedures followed in the awarding of contracts by grantees, not, as in the present case, issues concerning contract performance and contract administration.

Therefore, the request is dismissed.

We note, however, that apparently Center has filed a complaint with the DOL. We recommend that Center pursue this matter with DOL following the applicable procedures set forth in 29 C.F.R. parts 94-97 (1979).



Milton J. Socolar
General Counsel