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DECISION



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

FILE: B-205625

DATE: December 28, 1981

MATTER OF: J.C. Hester Company, Inc.

DIGEST:

Dispute concerning modification of contract and reimbursement for related changes and delays therein is a matter of contract administration and not for resolution under GAO Bid Protest Procedures.

J.C. Hester Company, Inc. (Hester), has requested that we resolve its dispute with the Department of the Air Force concerning the modification of contract No. F34650-81-C-0158 for the alteration/repair of the Plating Shop Building heating system at Tinker Air Force Base, Oklahoma. Hester contends that the pump motors specified in the contract were not sufficient--that the electrical requirements were inadequate. After failure to resolve this matter with the Air Force, Hester elected to furnish and install the materials and equipment necessary for a system that would work properly and now requests reimbursement in the amount of \$17,352.40 for the costs of the related changes and delays it encountered.

We decline to consider the merits of Hester's contentions concerning this contract.

Our Bid Protest Procedures provide for the consideration of complaints concerning whether an award or proposed award of a contract by the Federal Government complies with statutory, regulatory, or other legal requirements. 4 C.F.R. part 21 (1981); Habitation Technology, Inc., B-203398, June 12, 1981, 81-1 CPD 481; Bristol Tennessee Housing Authority, B-201332, December 16, 1980, 80-1 CPD 436.

Hester's complaint, however, involves a dispute with the Air Force concerning the modification of the terms of the contract. We have held that the

authority of our Office does not include intervention between a contractor and a contracting agency for the purpose of resolving a dispute arising under a contract. This is a matter for settlement pursuant to the procedures set out in the "Disputes" clause which is contained in standard Government contracts. Habitation Technology, Inc., supra; Booker T. Washington Foundation, B-197170, July 28, 1980, 80-2 CPD 71.

The Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613 (Supp. III, 1979), requires that all claims "relating to" a contract be filed with the contracting officer for a decision, 41 U.S.C. § 605(a). In addition, a contractor may appeal an adverse contracting officer's decision to either the contracting agency's board of contract appeals or to the United States Court of Claims. 41 U.S.C. §§ 606, 609. See Sphere Management, Inc., B-202976, May 26, 1981, 81-1 CPD 411.

We dismiss the protest.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel