

DECISION



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

FILE: B-183115

DATE: September 27, 1976

MATTER OF: H. G. Peters & Company

DIGEST:

Protest against exercise of option which is based on contract administration matters is dismissed since matters of contract administration are responsibility of contracting agency and are not for resolution under GAO Bid Protest Procedures.

H. G. Peters & Company (Peters) protests the exercise of any option extending the term of Basic Ordering Agreement (BOA) No. DAAH01-75-A-0021 awarded to John Bransby Productions, Ltd. (Bransby), by the United States Army Missile Command (Army), Redstone Arsenal, Alabama.

The BOA is for the Army's production requirements for training and other types of educational and documentary films and television "spots". Peters previously protested the BOA award to Bransby. We denied the protest. H. G. Peters & Company, Inc., B-183115, March 22, 1976, 76-1 CPD 190.

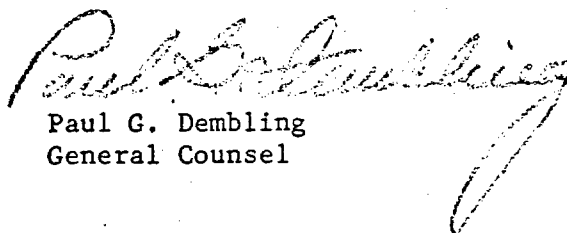
Peters now states that "the Army has negotiated the prices for work under the contract /BOA/ in an improper and illegal manner so as to prevent substantial losses by the contractor." Peters also states:

"It is apparent that certain fixed price line items of the BOA are being ignored in favor of more expensive line items and/or the Arsenal is ordering more quantities of certain line items or of unpriced items than are necessary or that are in fact being used by the contractor. All of this is done * * * to relieve the successful contractor from unreasonably low bid prices offered by the successful contractor to assure contract award, resulting in substantial losses to the contractor and disrupting the film production efforts of the Army. The result is a cost to the Government which is substantially higher than that for which it contracted."

B-183115

This Office considers protests against the exercise of contract options when it is alleged that the option exercise is or would be contrary to applicable regulatory provisions governing the exercise of options. See, e.g., Oscar Holmes & Sons, Inc. et al., B-183897, November 21, 1975, 75-2 CPD 339; Consolidated Airborne Systems, Incorporated, B-177758, July 10, 1974, 74-2 CPD 15. However, here the matters objected to clearly relate to the administration of the Bransby contract. Contract administration is a function and responsibility of the contracting agency and questions involving such matters are not for resolution under our Bid Protest Procedures. Murdock Machine & Engineering Co. of Utah, B-183098, February 13, 1975, 75-1 CPD 98; Edward E. Davis Contracting, Incorporated, B-179719, B-179720, January 29, 1974, 74-1 CPD 37.

Accordingly, the protest is dismissed.


Paul G. Dembling
General Counsel