

DECISION**THE COMPTROLLER GENERAL
OF THE UNITED STATES**

WASHINGTON, D.C. 20548

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FILE: B-195905

DATE: October 31, 1979

MATTER OF: The Trane Company

[Protest Involving Items Furnished by Subcontractor]
DIGEST:

Agency approval of item furnished under prime contract is matter of contract administration which is responsibility of contracting agency. While GAO reviews subcontract protest under limited circumstances set forth in Optimum Systems, Inc., 54 Comp. Gen. 767 (1975), GAO will not review such protest where Government merely approves subcontract award.

PCG 03211

The Trane Company (Trane) protests the approval by the Naval Facilities Engineering Command (Navy) of certain water chillers acquired by the prime contractor under contract No. N62472-76-C-0427. We have been informally advised that the Navy did not participate in the evaluation of the subcontractor for award; nor did it approve the subcontract award. The Navy only approved the particular articles to be provided by the subcontractor after award already had been made. Trane contends that the approved water chillers do not meet specification requirements contained in the prime contract.

DLG 2360

The contention involves a matter of contract administration which this Office does not review under our Bid Protest Procedures, 4 C.F.R. Part 20 (1979). Challenge Equipment Corp., B-193511, December 29, 1978, 78-2 CPD 442; Pen Foam Insulation Co., B-192764, September 26, 1978, 78-2 CPD 233. The contracting agency is responsible for administering the prime contract and for determining whether the prime contractor complies with specification requirements contained in that contract, whereas our Bid Protest Procedures apply to considerations of whether an award, or a proposed award of a contract, complies with statutory, regulatory and other legal requirements. Challenge Equipment, supra; Pen Foam Insulation, supra.

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