

1844959 Mr. Eisen

DECISION



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

FILE: B-203398

DATE: June 12, 1981

MATTER OF: Habitation Technology, Inc.

DIGEST:

Dispute concerning adequacy of contractor's performance is a matter of contract administration and not for resolution under GAO Bid Protest Procedures.

Habitation Technology, Inc. has requested that we help resolve a number of disputes between it and the Air Force concerning the performance of contract No. F41612-80-D0009, for maintenance of family housing units at Sheppard Air Force Base, Texas. Essentially, Habitation objects to the failure of the Air Force to resolve problems encountered in the performance of the contract which have led, we understand, to the termination of the contract for default. Habitation attempted, in its letter to this Office, to explain the problems which have hampered its performance of the work.

We must decline to consider the merits of Habitation'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 20 (1980); Bristol Tennessee Housing Authority, B-201332, December 16, 1980, 80-2 CPD 436; C.G. Ashe Enterprises, Inc., B-191848, May 19, 1978, 78-1 CPD 388. Habitation's complaint, however, involves a dispute between it and the Air Force concerning the adequacy of its performance 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.

[Dispute Involving Adequacy of Contractor's Performance]

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This is a matter for settlement pursuant to the procedures set out in the "Disputes" clause which is contained in standard Government contracts. Booker T. Washington Foundation, B-197170, July 28, 1980, 80-2 CPD 71.

The protest is dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel