

**DECISION****THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548****FILE:** B-209314**DATE:** October 29, 1982**MATTER OF:** Dosimeter Corporation of America**DIGEST:**

Protest that award should not be made to low bidder because it cannot meet contract requirements will not be considered since it involves a challenge to an affirmative determination of responsibility, which GAO does not review in the absence of fraud by contracting officials or misapplication of definitive responsibility criteria set forth in the solicitation.

Dosimeter Corporation of America (Dosimeter) protests the intended award by the Navy of a contract to Beekman Industries, Inc. (Beekman), the apparent low bidder under solicitation No. NOO612-82-B-0197, for radiacmeters. Dosimeter asserts that Beekman's product does not comply with certain testing and composition requirements contained in the solicitation, and that these deviations should have been apparent to the Navy during its preaward survey of Beekman.

Dosimeter characterizes its protest as one relating to Beekman's bid responsiveness. The determination of a bidder's ability to perform a contract in accordance with specification requirements involves responsibility, while responsiveness concerns the promise of a bidder to perform in accordance with the solicitation. Thus, a bid is "responsive" if, as submitted, it is an offer to perform the exact thing called for in the solicitation, without exception. Bowman Enterprises, Inc., B-194015, February 16, 1979, 79-1 CPD 121. Since there is no suggestion that Beekman took any exception to the solicitation requirements, we have no basis for viewing its bid as nonresponsive; rather, the protest relates to Beekman's responsibility as a prospective contractor. Prospect Enterprises, Inc., B-206880, April 8, 1982, 82-1 CPD 330.

023813

Our Office does not review protests of affirmative determinations of responsibility unless fraud on the part of procuring officials is alleged, or the solicitation contains definitive responsibility criteria which allegedly have been misapplied. Gaffny Plumbing and Heating Corporation, B-206006, June 2, 1982, 82-1 CPD 521; Central Metal Products, Inc., 54 Comp. Gen. 66 (1974), 74-2 CPD 64. Neither exception is applicable here.

Since this protest does not involve matters warranting our review on the merits, we dismiss the protest without obtaining a report from the contracting agency. Warfield & Sanford, Inc., B-206929, April 20, 1982, 82-1 CPD 365.

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