

DECISION



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

26172

FILE: B-212708

DATE: September 6, 1983

MATTER OF: Business Equipment & Systems, Inc.

DIGEST:

1. Protest against bidder's ability to comply with specifications concerns matter of responsibility which GAO generally does not review.
2. Contractor's compliance with specifications concerns administration of contract which is not for resolution under Bid Protest Procedures.

Business Equipment & Systems, Inc. (Business), protests the award of a contract to Lundia-Meyers Industries, Inc. (L-M), under invitation for bids (IFB) No. 652-114-83 issued by the Veterans Administration Medical Center, Richmond, Virginia.

We dismiss the protest.

The IFB was for inpatient and outpatient pharmacy mobile storage systems. Business contends that the contractor cannot comply with the IFB requirement that mobile carriages have safety locking devices installed on mobile drive handles to protect personnel while in the access aisles. Business submits that the contractor does not have specified safety locking devices on any printed literature, GSA printed catalogs, or any systems installed in the United States as of this time.

To the extent that Business is contending that the contract should not have been awarded to L-M because of its inability to comply with the safety locking devices requirement, it is challenging L-M's responsibility. Nicolet Technology Corp., B-192895, September 28, 1978, 78-2 CPD 244. Our Office does not review protests alleging the nonresponsibility of a competitor, except in circumstances not present here. Nicolet Technology Corp., supra.

Moreover, whether a contractor complies with its obligations under the provisions of a contract is a matter of contract administration and is not for resolution under

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the Bid Protest Procedures, 4 C.F.R. part 21 (1983).
Nicolet Technology Corp. supra.

Harry R. Van Cleve
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Acting General Counsel