

DECISION

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

28312

FILE: B-215161**DATE:** May 23, 1984**MATTER OF:** Terex Corporation**DIGEST:**

Where an option is exercisable at the discretion of the government, the decision whether to exercise the option is a matter of contract administration which GAO will not review under its bid protest functions.

Terex Corporation (Terex) protests the failure of the Defense Construction Supply Center (DCSC) to exercise an option to purchase 20 tractors under a Department of the Air Force contract No. F09603-83-C-1787. The Air Force has made the option quantity under this contract available to DCSC but DCSC has elected to issue solicitations to meet its requirements. Terex argues its prices for these option quantities are below any which DCSC would obtain under current DCSC solicitations.

Where the option provision of a contract is exercisable at the sole discretion of the government, we will not consider the incumbent contractor's contention that the agency should exercise the option. Whether to do so is a matter of contract administration which is outside the scope of our bid protest functions. Bell & Howell Datatape Division, B-212989, September 21, 1983, 83-2 CPD 356. We assume that in this case, the exercise of the option is solely within the discretion of the contracting officer as contemplated by Defense Acquisition Regulation § 1-1500 (1976 ed.). Terex does not allege otherwise.

We dismiss the protest.

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

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