

DECISION



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

Shipman
PL: I
29379

FILE: B-216325

DATE: September 24, 1984

MATTER OF: Gold Coast Engineering Inc.

DIGEST:

GAO will not review an affirmative determination of responsibility except in limited circumstances which have not been alleged by the protester.

Gold Coast Engineering Inc. (Gold Coast) protests the award to AC, Incorporated (AC), of a contract under invitation for bids No. DAAH01-84-B-0098 issued by the Department of the Army.

We dismiss the protest.

Gold Coast alleges that AC has failed to meet production requirements, quality standards, and the delivery schedule on a similar prior contract, and will probably fail to perform the present contract satisfactorily. These allegations constitute a challenge to the contracting officer's affirmative determination of responsibility of AC as evidenced by award of the contract. Our Office does not review a contracting officer's affirmative determination of responsibility absent a showing that the contracting officer acted fraudulently or in bad faith or that definitive responsibility criteria in the solicitation have not been met. Brandhurst Incorporated, B-214829, June 26, 1984, 84-1 C.P.D. ¶ 669. Neither exception is alleged here.

Harry R. Van Cleve
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Acting General Counsel

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