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**DECISION**



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

**FILE:** B-218582.2

**DATE:** May 29, 1985

**MATTER OF:** Rohr Industries, Inc.--Reconsideration

**DIGEST:**

GAO dismisses request for reconsideration of its decision dismissing a protest that involves a matter of contract administration. The significant issue exception to GAO's timeliness rules does not apply to questions of contract administration.

Rohr Industries, Inc., requests that we reconsider our dismissal of its protest of a modification to Department of the Navy contract No. N00019-85-C-0004. We dismissed the protest under section 21.3(f) of our Bid Protest Regulations because it involved a matter of contract administration. See 4 C.F.R. § 21.3(f)(1) (1985). We also dismiss the request for reconsideration.

The contract is for the production of the F-14 aircraft. The protested modification changes the manufacture of certain component parts, previously purchased under a subcontract with Rohr, to in-house production by the prime contractor.

Rohr contends that we should reconsider our decision to dismiss its protest because the protest raises issues significant to the procurement system. Rohr asserts that in agreeing to the modification, the contracting officer did not comply with the Federal Acquisition Regulation, subpart 15.7, which prescribes policies and procedures for approving prime contractors' make-or-buy programs. See 48 C.F.R. Subpart 15.7 (1984). Rohr argues that the change from "buy" to "make" will cost the government millions of dollars and asserts that the dismissal of its protest will send a signal to agencies that they may make such decisions in disregard of federal regulations, knowing that their conduct will not be reviewed by the Comptroller General.

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Although this Office will consider a protest that otherwise would be dismissed as untimely under our regulations where the protest raises issues significant to the procurement system, there is no significant issue exception for matters of contract administration. Such matters are outside the scope of our bid protest function, which is reserved for determining whether a contract award or proposed award complies with applicable procurement statutes and regulations. See Delmae Co., B-214082, July 10, 1984, 84-2 CPD ¶ 36.

As indicated by our dismissal of Rohr's protest, we generally will not consider a protest against a contract modification, since modifications involve matters of contract administration. Nucletronix, Inc., B-213559, July 23, 1984, 84-2 CPD ¶ 82. The only exception to the general rule is when it is alleged that the modification exceeds the scope of the contract and has the effect of circumventing the competitive procurement statutes. Embarcadero Center Associates, B-211081, Mar. 30, 1983, 83-1 CPD ¶ 333. This exception clearly does not apply here.

Accordingly, we find no basis to reconsider our prior decision and dismiss Rohr's request for reconsideration.

*Harry R. Van Cleve*  
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General Counsel

General Electric