

6032

DECISION



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

*M. Frost
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FILE: B-191538 DATE: April 13, 1978
MATTER OF: Engineering Service Systems, Inc.
DIGEST:

Determination to terminate contract
for default is matter of contract
administration under Disputes clause
of contract and not for resolution
under our Bid Protest Procedures.

By telex dated March 25, 1978, Engineering
Service Systems, Inc. (ESSI), protests the termina-
tion for default of contract No. V6648-877, by the
Veterans Administration Hospital (VA), San Diego,
California.

The question of whether a contract should be
terminated for default is a matter of contract
administration for consideration under the procedures
set forth in the Disputes clause of the contract
in question, and not for resolution under our Bid
Protest Procedures which are reserved for considering
whether an award, or proposed award, of a contract
complies with statutory, regulatory, and other legal
requirements. See Pure Water & Ecology Products,
Inc., B-186067, April 5, 1976, 76-1 CPD 225.

In view of the foregoing, we will not consider
the protest on its merits.

Paul G. Dembling
Paul G. Dembling
General Counsel