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DECISION



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

[Protest Alleging That Awardee Is Not Complying With Contract Requirement]

FILE: B-198542

DATE: February 19, 1981

MATTER OF: Schmidt Engineering & Equipment
Co., Ltd.

DIGEST:

Whether equipment being supplied by contractor is in compliance with contract requirements is matter of contract administration and not for resolution under GAO Bid Protest Procedures.

Schmidt Engineering & Equipment Co., Ltd. (Schmidt), protests the award made for certain snow removal units to Oshkosh Truck Company (Oshkosh) under solicitation Nos. DLA700-80-C-8120 and DLA700-80-B-0175 issued by the Defense Logistics Agency.

Schmidt asserts that, contrary to the terms of the solicitations, Oshkosh is not supplying units which are a manufacturer's standard commercial product depicted in its literature at the time of bid opening or are made from major components commercially available in the open market. Schmidt states that it has ascertained that the equipment Oshkosh is actually supplying is a new product developed after contract award.

Although Schmidt characterizes this as rendering Oshkosh's bid nonresponsive, the actual question is whether Oshkosh is performing in accordance with the terms of the award under the solicitations. This is a matter of contract administration which does not relate to the propriety of the award. Contract administration is the function and responsibility of the procuring activity and such matters are not for resolution under our Bid Protest Procedures, 4 CFR part 20 (1980). Post Marketing Corporation, B-197472, January 28, 1980, 80-1 CPD 76.

The protest is dismissed.

Milton J. Socolar
For Milton J. Socolar
General Counsel

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