

**DECISION**

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

26101

FILE: B-212779

DATE: August 26, 1983

MATTER OF: General Electrodynamics Corporation

**DIGEST:**

Protest questioning responsibility determination is dismissed because GAO does not review affirmative determinations of responsibility in absence of showing of fraud or showing that definitive responsibility criteria in solicitation were misapplied, circumstances not present here.

General Electrodynamics Corporation (GEC) protests the award of a contract to Intercomp Company (Intercomp) under IFB No. DLA400-83-B-1565 issued by the Defense Logistics Agency for portable, hydraulic wheel load weighers.

GEC alleges that Intercomp does not manufacture a portable, hydraulic wheel load weigher and in any event will deliver an inferior product. GEC further states that it has supplied this product to the Defense Logistics Agency previously and therefore it should have been awarded the contract. We dismiss the protest.

GEC's allegations represent a challenge to the responsibility of Intercomp to perform the contract. We do not review affirmative determinations of a bidder's responsibility unless there is a showing of fraud on the part of the procuring officials or the solicitation contains definitive responsibility criteria which the procuring officials have allegedly failed to apply. McCotter Motors, Inc., B-208176, July 19, 1982, 82-2 CPD 58. Neither circumstance is present here.

The protest is dismissed.

*Harry R. Van Cleve*

Harry R. Van Cleve  
Acting General Counsel

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