

DECISION

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

9056

FILE: B-184819

DATE: September 25, 1975

MATTER OF: American Amplifier and Television Corporation

97410

DIGEST:

Since GAO bid protest jurisdiction is based on authority to adjust and settle accounts and to certify balances in the accounts of accountable officers, a protest involving propriety of award of contract by Howard University Hospital, a private institution, will not be considered.

By letter of August 26, 1975, American Amplifier and Television Corporation (AAT) protested the proposed award of a contract for patient televisions to Sylvania Electronics by Howard University Hospital under request for quotations issued June 23, 1975. AAT submits that it bid in strict accordance with specifications using Panasonic televisions with UL approval and 12 volt DC in compliance with OSHA NFPA regulations. AAT alleges that Sylvania Electronics submitted the only other bid and that this bid was not responsive on the basis of certain deviations and exceptions to the specification requirements.

It must be noted at this point that the bid protest jurisdiction of the General Accounting Office is based on our authority to adjust and settle accounts and certify balances in the accounts of accountable officers. See GAO Bid Protest Procedures, Section 20.1 (a), 40 Fed. Reg. 17979 (1975). We have held that Howard University, although created by Congressional enactment, is a private corporation for educational purposes and its charter gave it all rights and powers usually vested in private corporations. 19 Comp. Gen. 917, 918 (1940). While the United States has contributed to the construction, maintenance, and development of the institution, that is not enough to change the University from a private institution to a public institution. As a part of the University, Howard University Hospital is a private institution; its accounts, therefore, are not subject to GAO settlement.

Accordingly, we must decline to consider the merits of this protest.

A handwritten signature in cursive script, appearing to read "Paul G. Dembling".
Paul G. Dembling
General Counsel