

DECISION



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

60601

FILE: B-185561

DATE: March 3, 1976

MATTER OF: Lauford Associates, Inc.

98523

DIGEST:

Protester objects to proposed leasing by D. C. Government of Dupont Circle Underpass pursuant to specific legislation which vests broad leasing authority in Mayor. In view of fact that D. C. Government has complied with only circumscription contained in legislation, requiring citizen participation, General Accounting Office finds no legal basis to object to leasing arrangement.

By letter dated February 13, 1976, and previous correspondence, Lauford Associates, Inc., protests an award to any other offeror of a lease by the District of Columbia Government for development of the Dupont Circle Underpass (Reference Number 1145.00).

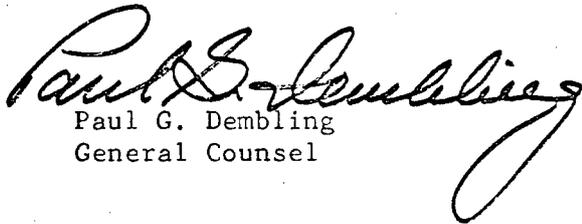
Pursuant to section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, Pub.L.No. 93-198, 87 Stat. 774 (1973), D. C. Law 1-4 (May 22, 1975), empowers the Mayor of the District of Columbia,

"* * * in his discretion and after citizen participation under procedures established by the Mayor, to enter into leases of, or to grant revocable permits for the use of, public space under Dupont Circle, * * * consisting of tunnels, stations, access passageways, appurtenances formerly maintained as a part of a street railway system, and to impose such terms and conditions, and to provide for the payment of such rents or fees as the Mayor may, in his discretion, deem to be necessary or desirable."

By Mayor's Order 75-203 (September 22, 1975), Mayor Washington delegated the above enumerated authority to the Director of the D. C. Department of General Services.

B-185561

District of Columbia Law 1-4, supra, vests broad leasing authority in the Mayor. Insofar as the legislation does circumscribe this authority by requiring citizen participation in the selection process, it appears that the District Government has fulfilled this requirement. In view thereof, we find no legal basis to object to the instant leasing arrangement as contemplated by the District of Columbia Government.


Paul G. Dembling
General Counsel