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P. J. ...  
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**DECISION**



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

FILE: B-190201

DATE: December 6, 1977

MATTER OF: Premier Maintenance Company

**DIGEST:**

Where material issues in protest are before court of competent jurisdiction, which has not expressed interest in GAO views, GAO will not render decision on protest. 4 C.F.R. § 20.10 (1977).

Premier Maintenance Company (PMC) protests the award by the Federal Aviation Administration (FAA) of contracts for janitorial services to be performed at FAA facilities in Riverside and San Diego Counties, California. PMC alleges that it held contracts to provide janitorial services at these FAA facilities for the period from October 1, 1976, to September 30, 1977. The contracts which are the subject of PMC's protest were awarded to Royal Crest Building Maintenance by the FAA.

PMC contends that, since it was the incumbent contractor at FAA facilities in Riverside and San Diego Counties, the contracting activity should have solicited PMC to submit bids on the renewal contracts in accordance with existing FAA policy. PMC alleges that through FAA inadvertence it was not invited and did not bid on these contracts. Therefore, PMC protests the award of these contracts to Royal Crest and requests that they be set aside by our Office. PMC has also filed a suit in the District Court for the Central District of California for injunctive relief in the matter.

It is the policy of our Office not to decide matters where the material issues involved are before a court of competent jurisdiction unless the court expresses an interest in receiving our views, which is not the case here. 52 Comp. Gen. 706 (1973); Nartron Corporation and DC Electronics, Incorporated, B-178224, B-179173, March 29, 1974, 74-1 CPD 154; 4 C.F.R. § 20.10 (1977).

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Accordingly, we will take no further action on the matter.

*gjr* *Milton J. Auster*  
Paul G. Dembling  
General Counsel