

DECISION



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

26090

FILE: B-212131

DATE: August 25, 1983

MATTER OF: Landscapes Unlimited, Inc.

DIGEST:

The protest of a contract award which involves the direct expenditure of nonappropriated funds is dismissed as GAO has no authority to take exception to a contract award which does not involve the expenditure of appropriated funds.

Landscapes Unlimited, Inc., protests the pending award of a contract to the Galey Construction Company under invitation for bids No. F10603-83-B0005 issued by the Base Contracting Office, Mountain Home Air Force Base, Idaho. The solicitation called for bids to construct a nine-hole addition to the existing base golf course. The procurement is being made for a "NAFI" (a Nonappropriated Fund Instrumentality of the United States Government) and will not obligate appropriated funds of the United States.

Since our Office has no legal authority to take exception to an award which does not involve the direct expenditure of appropriated funds, no useful purpose is served by our consideration of protests over the award of NAFI contracts. Conusstan Products, West Germany, B-210846, March 14, 1983, 83-1 CPD 253; Pinkerton's, Inc., B-210541, February 1, 1983, 83-1 CPD 121. For this reason, we will not consider this protest.

The protest is dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel

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