

DECISION



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

28656

FILE: B-215530

DATE: June 28, 1984

MATTER OF: International Business Investments,
Inc.

DIGEST:

There is no legal or regulatory requirement that an agency evaluate options in a particular procurement.

International Business Investments, Inc. (IBI), protests any award under invitation for bids (IFB) No. DABT01-84-B-4010 issued by the Department of the Army, Fort Rucker, Alabama, for security guard services. IBI argues that the Army's decision not to include option periods is not in the government's best interests since more competitive bids could be obtained if option periods were evaluated.

We deny the protest summarily. We do so without obtaining a report from the contracting agency, since it is clear from the information furnished by IBI that the protest is without legal merit. U.S. Air Tool Co., Inc., B-214519, Feb. 14, 1984, 84-1 C.P.D. ¶ 200.

Our bid protest function is reserved for considering whether the contract award process in a particular procurement complied with statutory, regulatory or other legal requirements. See 4 C.F.R. part 21 (1983). We are unaware of any law or regulation which would require the contracting agency to evaluate options in this case. We note that section 17.202 of the Federal Acquisition Regulation (FAR) merely indicates that the contracting officer may include options in a contract when it is in the government's best interests. FAR, § 17.202, 48 Fed. Reg. 41,102, 42, 171 (1983) (to be codified at 48 C.F.R. § 17-202). See also AMS Manufacturing, Inc.-Reconsideration, B-203589.2, Nov. 2, 1981, 81-2 C.P.D. ¶ 371. As a result, we find that it is a discretionary determination on the part of the contracting officer and, accordingly, we see no merit to IBI's argument that option periods should be included in this procurement.

Milton J. Fowler

Acting Comptroller General
of the United States

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