

Cathy Evans



Comptroller General  
of the United States

Washington, D.C. 20548

# Decision

**Matter of:** Federal Relocation Services, Inc.

**File:** B-240145

**Date:** September 4, 1990

John C. McManus, Esq., and Arthur B. Seymour, Esq., for the protester.

Nancy E. Lynch, Esq., and Joy Strickland, Farm Credit Administration, for the agency.

Catherine M. Evans, Office of the General Counsel, GAO, participated in the preparation of the decision.

## DIGEST

Protester, an approved household goods carrier under agency's current in-house employee relocation service, is not an interested party to protest agency's decision to contract out for relocation services or to protest terms of the solicitation, as it is not an actual or prospective offeror under the solicitation.

## DECISION

Federal Relocation Services, Inc. (FRS) protests the terms of request for proposals (RFP) No. 90-FCA-RFP-002, issued by the Farm Credit Administration for employee relocation services. The protester alleges that the agency legally may not utilize a contractor to perform relocation services, and that such a contract would cost the government more than it currently costs the agency to perform the services in-house.

We dismiss the protest.

The RFP contemplates the award of a contract for employee relocation services which are currently being performed by the agency under the General Services Administration's (GSA's) Household Goods Traffic Management Program. See 49 C.F.R. § 101-400.200 et seq. (1989). Under this program, for each relocation agencies select the lowest cost carrier from a list of approved household goods carriers. FRS, an approved carrier participating under the GSA program, claims that its economic interests will be adversely affected if

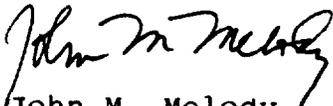
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the agency awards a contract for the services it currently performs in-house.<sup>1/</sup>

Under the Competition in Contracting Act of 1984, 31 U.S.C. § 3551(2) (1988), and our Bid Protest Regulations, 4 C.F.R. § 21.0(a) (1990), a protest may be brought only by an "interested party," defined as an actual or prospective bidder or offeror whose direct economic interest would be affected by the award or failure to award the contract involved. The protester does not meet this criterion. FRS is not protesting that solicitation deficiencies preclude it from competing for the relocation services contract; rather, FRS is complaining that awarding any contract for these services will harm its interests. The protester thus is not an actual or prospective offeror under the solicitation about which it is complaining, and is not an interested party eligible to maintain this protest. See Homeport Assocs.--Recon., B-237600.2, Dec. 19, 1989, 89-2 CPD ¶ 568.

In any case, absent circumstances not alleged here, our Office does not review agency decisions to contract out for services rather than perform them in-house, as this is a matter of executive branch policy not within our bid protest function. RAI, Inc., B-231889, July 13, 1988, 88-2 CPD ¶ 48.

The protest is dismissed.



John M. Melody  
Assistant General Counsel

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<sup>1/</sup> We note that the solicitation as amended requires the contractor to comply with the GSA program regulations; therefore, the contractor will be required to use the same procedure for selecting the lowest cost carrier as the agency currently uses. It thus is unclear how the protester's economic interests would be affected by award of a contract.