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Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Neal R. Gross and Co., Inc.
File: B-257545
Date: June 22, 1994

DECISION

Neal R. Gross and Co., Inc. protests as unduly restrictive solicitation No. S-42307/RC issued by the Washington Metropolitan Area Transit Authority (WMATA).

We dismiss the protest because we have no jurisdiction over procurements by WMATA since it is not a federal agency.

Our bid protest jurisdiction is limited to procurements of federal agencies. 31 U.S.C. § 3551 (1988); 4 C.F.R. § 21.1(a). A federal agency is:

"any executive department or independent establishment in the executive branch, including any wholly owned government corporation, and any establishment in the legislative or judicial branch, except the Senate, the House of Representatives and the Architect of the Capitol and any activities under his direction." 4 C.F.R. § 21.0(c).

Since the entity here is not a federal agency, we are without jurisdiction to consider the protest. Centex Construction Co., Inc., B-239812, Mar. 7, 1990, 90-1 CPD ¶ 256.

Accordingly, the protest is dismissed.


Ronald Berger
Associate General Counsel