



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

Decision

Matter of: Apex Contract Management, Inc.

File: B-265701.3

Date: October 12, 1995

DECISION

Apex Contract Management, Inc. protests the Department of the Army's refusal to exercise its option under contract No. DAAA31-94-C-0004 and instead award a contract under invitation for bids No. DAAA31-95-B-0007.

We dismiss the protest because a contractor has no legal right to compel the exercise of a contract option; the decision not to exercise an option is a matter of contract administration outside our bid protest jurisdiction. Digital Sys. Group-Recon., B-252080.2, Mar. 12, 1993, 93-1 CPD ¶ 228.

Contract options are exercised solely at the discretion of the government, and a contractor cannot compel an agency to exercise an option in its contract. California Shorthand Reporting, B-236680, Dec. 22, 1989, 89-2 CPD ¶ 584. Those who bid on contracts containing option provisions assume the risk that the agency might not exercise the option. Arlington Public Schools, B-228518, Jan. 11, 1988, 88-1 CPD ¶ 16.

Comptroller General
of the United States

Contract Management, Inc. protest