

**DECISION**

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

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**FILE:** B-216587

**DATE:** October 22, 1984

**MATTER OF:** Am-Tech Export Trading Co., Inc.

**DIGEST:**

Complaint regarding award of cooperative agreements will not be considered where complainant has not made some showing that contracts rather than cooperative agreements should have been used or that conflict of interest was involved.

Am-Tech Export Trading Co., Inc. (Am-Tech), complains of the award and pending award of cooperative agreements for minority export development consulting services in various geographical areas under Project No. 06-1084001-01 by the Minority Business Development Agency (MBDA), Department of Commerce. We dismiss the complaint.

Am-Tech contends that the MBDA violated laws governing competitive procurements by not awarding the cooperative agreements to Am-Tech, the allegedly "low bidder." MBDA informally has advised us that Am-Tech's complaint concerns the award of cooperative agreements rather than procurement contracts.

We generally do not review complaints concerning the award of grants or cooperative agreements, unless there is some showing that the agency is using a grant or cooperative agreement where a contract is required, that is, the agency is using the grant award process to avoid the competitive requirements of procurement laws, or that a conflict of interest exists. Innocept, Inc., B-208065, Sept. 13, 1983, 83-2 C.P.D. ¶ 317; Innocept, Inc.--Reconsideration, B-209781.2, Mar. 28, 1983, 83-1 C.P.D. ¶ 315; Del Manufacturing Company, B-200048, May 20, 1981, 81-1 C.P.D. ¶ 390. We limit our review because the award of grants and cooperative agreements is not significantly controlled by statutes and regulations having the force and effect of law as in the award of procurement contracts, and our involvement therefore would result in interference with the administration by executive branch agencies of their financial assistance programs. Innocept, Inc., B-208065, supra. In this connection, Am-Tech's allegation provides no basis for review by this Office since the firm has not alleged or shown that

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cooperative agreements were used instead of contracts to avoid competitive requirements of procurement laws or that a conflict of interest exists. See Del Manufacturing Company, B-200048, supra.

Complaint dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
General Counsel