

DECISION



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

60082

FILE: B-184617

DATE: October 24, 1975

MATTER OF: Grumman Ecosystems Corporation

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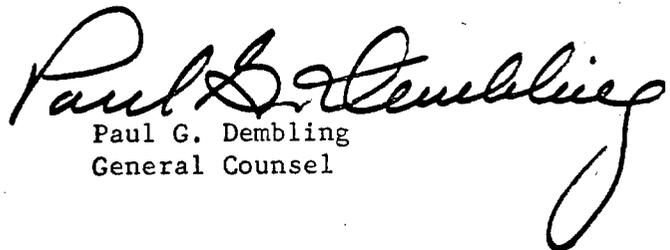
DIGEST:

Request for review of contract award by recipient of Federal grant will not be considered since matter raised has been decided on the merits by court of competent jurisdiction.

Grumman Ecosystems Corporation has requested our review of the award of a contract by the City of Gainesville, Florida, a recipient of a grant from Environmental Protection Agency (EPA). Grumman maintains that the low bid was nonresponsive and not available for acceptance under applicable EPA regulations.

In addition to requesting our review, Grumman sought judicial relief in the United States District Court for the Northern District of Florida, Gainesville Division. The court, after considering the merits, entered judgment for the defendants on October 1, 1975.

It has long been our policy not to decide matters which have been the subject of litigation on the merits in a court of competent jurisdiction. Nartron Corp. et al., 53 Comp. Gen. 730 (1974), 74-1 CPD 154; Raycomm Industries, Inc., B-182170, February 3, 1975, 75-1 CPD 72; see section 20.10 of our Bid Protest Procedures, 40 Fed. Reg. 17979 (1975). Accordingly, we will take no action on this matter.


Paul G. Dembling
General Counsel