

DECISION



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

24586

FILE: B-210999

DATE: March 22, 1983

MATTER OF: Carmel Valley Disposal Service

DIGEST:

As a general rule, whether a contracting agency should contract out for any particular work or perform the work in-house is a policy matter which GAO will not review. An exception to this rule is where the agency issues a competitive solicitation for the purpose of ascertaining the cost of contracting. Here, however, no solicitation was issued and the agency based its decision to do the work in-house on an internal study. Therefore, GAO will not review the matter.

Carmel Valley Disposal Service (CVDS) protests the decision of the Monterey California Ranger District of the United States Forest Service (Forest Service) to perform garbage collection services in-house at two locations rather than include these services under solicitation No. R5-07-83-04 for other garbage collection services procured by the ranger district. CVDS contends that it can provide service at these locations more economically than the Forest Service and requests that our Office determine whether it is in the Government's best interest for the Forest Service to perform this service in-house.

We dismiss the protest.

CVDS states, and the Forest Service has confirmed, that the Monterey California ranger district conducted an internal analysis of the cost of garbage collection for the locations which the protester argues should be contracted out and concluded that the ranger district can perform the service more cheaply in-house. Therefore, no competitive solicitation involving these locations was issued.

024939

We have held that an agency decision to perform work in-house rather than to contract out involves a policy matter which is to be resolved within the executive branch and not by our Office. However, we will review cases of this nature when a competitive solicitation has been issued for the purpose of ascertaining the cost of contracting and it is alleged that the cost comparison between performing the work in-house and contracting out is faulty or misleading. Crown Laundry and Dry Cleaners, Inc., B-194505, July 18, 1979, 79-2 CPD 38. This limited exception is not applicable where no solicitation for the particular work has been issued. Electronic Processing, Inc., B-208952, November 10, 1982, 82-2 CPD 435; Childrey, Contract Services Incorporated, B-207259, May 17, 1982, 82-1 CPD 469.

Protest dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel