

DECISION



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

27057

FILE: B-213116

DATE: December 19, 1983

MATTER OF: Language Management Corporation

DIGEST:

Procurement conducted by the General Services Administration pursuant to cooperative agreement between the United States and Saudi Arabia does not involve use of funds subject to GAO account settlement authority and protest of such procurement therefore is dismissed.

Language Management Corporation (LMC) protests the sole-source award of a contract to CACI, Inc. (CACI), under solicitation No. FGA-M-X-3324 issued by the General Services Administration (GSA) for the translation of the federal item name directory from English to Arabic.

LMC contends that its firm is qualified to perform the work and that a sole-source award is in violation of federal procurement policies and regulations.

For the following reasons, we dismiss the protest.

GSA argues that LMC's protest is not properly within our jurisdiction, because the sole-source contract awarded to CACI is not funded by United States monies appropriated by the Congress. The subject procurement is being conducted by GSA for the Saudi Arabian government under the auspices of the United States-Saudi Arabian Joint Commission on Economic Cooperation (JECOR). Expenditures for JECOR projects are initially made from the General Supply Fund. That fund is completely reimbursed for all direct and indirect costs associated with JECOR projects. GSA indicates that the Saudi Arabian government has already deposited funds in the United States Treasury to cover the cost of the subject procurement. GSA states that under identical factual circumstances, our Office has refused to consider the propriety of such procurements under our Bid Protest Procedures. In U.S. Pipe and Foundry Company, B-188560, April 6, 1977, 77-1 CPD 239, we stated:

"It is well established that our Office does not render decisions with respect to procurements that do not involve the expenditure of appropriated funds, since our bid protest

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jurisdiction is based upon our authority to adjust and settle accounts and to certify balances in the accounts of accountable officers under 31 U.S.C. § 71, 74 (1970)."

Since the award of this contract does not involve the direct expenditure of appropriated funds, our Office could not take legal exception to the award. See Mandex Incorporated, B-204415, October 13, 1981, 81-2 CPD 303, and 62 Comp. Gen. 410 (1983). Consequently, we must decline to consider the matter.

Harry R. Van Cleve
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Acting General Counsel