

DECISION

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

FILE: B-210406.2

DATE: December 22, 1983

MATTER OF: Onshore SOG, Inc.

DIGEST:

Protest of District of Columbia procurement for the lease of public space under Dupont Circle is dismissed because D.C. Law 1-4 (May 22, 1975) grants the Mayor of the District broad discretion in setting procurement procedures.

Onshore SOG, Inc. (Onshore), protests the award of a lease to any offeror other than itself under request for proposals No. RED-DC-OLN1210-82 issued by the District of Columbia (District) for the rental of public space under Dupont Circle.

We dismiss the protest.

The protester initially argued that the space is owned by the federal government, not the District, and contended that the District had selected an offeror who had offered less than Onshore had offered for the lease.

More recently, Onshore has argued that the proposals of its competitors should be disqualified for a variety of reasons. Onshore also contends that its offer was arbitrarily and capriciously mishandled by District procurement officials.

We have held that our review of procedures used in leasing space under Dupont Circle is limited to the question of whether there has been citizen participation in the selection process, because D.C. Law 1-4 (May 22, 1975) grants the Mayor of the District broad discretion in setting the procedures, with the caveat that there be citizen participation in the selection process. Lauford Associates, Inc., B-185561, March 3, 1976, 76-1 CPD 154.

We see nothing in Onshore's protest that would lead us to modify that position, and Onshore has not alleged that there was not citizen participation in the selection process. Consequently, we dismiss Onshore's protest.

While we will not consider the matters raised by Onshore in our Bid Protest capacity, we have referred the documents in this case to our audit staff for consideration.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel