



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Boulder Scientific Company

File: B-225644

Date: March 20, 1987

DIGEST

The General Accounting Office will not review an agency decision to issue a project order to a federal agency rather than contract for the services, where no competitive solicitation was issued for the purpose of determining the cost of contracting out.

DECISION

Boulder Scientific Company protests the United States Army Armament, Munitions and Chemical Command's (Army's) issuance of a project order to the Tennessee Valley Authority (TVA) for the shipment and purification of the chemical methyl phosphonic dichloride (MPDD), used in the Army's binary chemical warfare program. Boulder contends that the Army should not have issued the project order to a government agency when a qualified private contractor submitted a proposal which was competitive in technical approach, cost and time schedule.

We dismiss the protest.

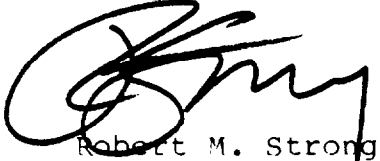
In May 1986, Boulder received a copy of a competitive solicitation for the MPDD purification. Boulder did not respond to the solicitation, which was canceled when the only proposal received was determined unacceptable. On August 14, 1986, Boulder submitted an unsolicited proposal for the work, which was under evaluation. The Army issued the project order to TVA on January 9, 1987.

As a general rule, this Office does not review agency decisions to perform in-house rather than to contract for services because we regard such decisions as matters of executive branch policy. Dynalectron Corp., B-216201, May 10, 1985, 85-1 CPD ¶ 525. Accordingly, we will review such decisions only where a competitive solicitation has been issued for the purpose of determining the cost of contracting

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out and it is alleged that the resulting comparison with the cost of performing the work in-house is faulty or misleading. Building Services Unlimited, Inc., B-222731, Apr. 17, 1986, 86-1 CPD ¶ 380. Since no competitive solicitation for the shipment and purification of MP0D was issued here for cost comparison purposes, the Army's decision to issue a project order to TVA, another federal agency, is not a proper matter for our consideration.

The protest is dismissed.



Robert M. Strong
Deputy Associate
General Counsel