

DOCUMENT RESUME

02657 - [A1672662]

[Propriety of Contract Award Involving Expenditure of Federal Revenue Sharing Funds]. B-189126. June 7, 1977. 1 pp.

Decision re: Sossamon Construction Co.; by Robert F. Keller, Deputy Comptroller General.

Issue Area: Federal Procurement of Goods and Services (1900).  
Contact: Office of the General Counsel: Procurement Law II.  
Budget Function: General Government: Central Fiscal Operations (803); General Government: Other General Government (806).  
Organization Concerned: Gaffney, SC.  
Authority: State and Local Fiscal Assistance Act of 1972 (P.L. 92-512; 31 U.S.C. 1221 et seq.). 31 U.S.C. 1243(a)(4).  
B-182515 (1974).

Company alleged that Gaffney, South Carolina's contract award to another bidder was improper because the bidder did not submit the required affidavits. The review of the propriety of a contract award which involves the expenditure of Federal Revenue Sharing Funds is not the responsibility of GAO. The funds are considered to be in the nature of State funds. The protest was not considered. (QM)

2662  
02557  
**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20546**

**FILE: B-189126**

**DATE: June 7, 1977**

**MATTER OF: Sossamon Construction Company**

**DIGEST:**

GAO will not review the propriety of contract award by municipality which involves expenditure of Federal Revenue Sharing Funds since these funds are considered to be in the nature of state funds and are not subject to the same limitations and restrictions as other federal expenditures.

The Sossamon Construction Company contests the award of a contract by the City of Gaffney, South Carolina. The City, on March 11, 1977, advertised in a local newspaper for competitive bids on the proposed construction of a city clock tower and historical room. Sossamon submitted his bid along with certain affidavits required by the solicitation. The City opened the bids on April 14, 1977 and awarded the contract to the only other, lower, bidder. Sossamon alleges that the award was improper because the low bidder failed to submit the required affidavits. Sossamon has requested that we review the propriety of the award.

We are informed that this project involves funds appropriated to the local government pursuant to the State and Local Fiscal Assistance Act of 1972, Public Law 92-512, 31 U.S.C. § 1221 et seq. (Supp. 1974). Revenue sharing entitlements are considered to be local funds and not subject to the same restrictions and conditions applicable to federal grants or other types of federal assistance, 31 U.S.C. § 1243(a)(4) (Supp. 1974). As such, this Office will not consider complaints involving the use of revenue sharing funds. Lombard Corporation, B-182515, December 17, 1974, 74-2 CPD 361.

Accordingly, this matter will not be considered.

Deputy

  
Comptroller General  
of the United States