

DECISION

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

83-2 cpd 666

FILE: B-212717

DATE: December 12, 1983

MATTER OF: Thermo Contracting Corporation

DIGEST:

Protest of the award of a contract by the Pennsylvania Avenue Development Corporation (PADC) will not be considered since PADC is a wholly owned government corporation and has broad discretionary authority with regard to its expenditures.

Thermo Contracting Corporation (Thermo) protests the award of a contract by the Pennsylvania Avenue Development Corporation (PADC) under invitation for bids (IFB) No. 83-001-820 to a bidder whose bid arrived late and was not sent in accordance with the late bid provisions of the IFB.

Thermo contends that we should consider the protest even though PADC is a wholly owned government corporation. However, we dismiss the protest.

As the protester recognizes, PADC is defined in the former Government Corporation Control Act as a wholly owned government corporation. See 31 U.S.C. § 846 (1976), now codified in 31 U.S.C.A. § 109. By statute, its activities and functions are largely autonomous, 40 U.S.C. § 871 et seq. (1976), especially 40 U.S.C. § 875 (1976), and it has broad discretionary authority with regard to its expenditures. For this reason, we do not consider protests concerning its procurements. See H. E. Fletcher Company, B-196201, October 31, 1979, 79-2 CPD 312.

Harry R. Van Cleve
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Acting General Counsel