

GAO

United States General Accounting Office  
Washington, DC 20548

Office of  
General Counsel

In Reply  
Refer to: B-197063

12529 *Labour*  
*Proc II*

January 14, 1980

Brink's Incorporated *CNS00506*  
Thorndale Circle  
Darien, Connecticut 06820

Attention: Mr. John W. Jones  
Executive Vice President

Gentlemen:

We refer to your letter dated December 3, 1979, asking us to review the [procurement practices of the Federal Reserve System (FRS) in contracting for armored car services]. You have asked us to consider, under our Bid Protest Procedures, the FRS's refusal to readvertise a number of contract awards which you have alleged were not conducted in accordance with the Service Contract Act of 1965.

We have reviewed your position, as well as the opinion of the Attorney General dated September 26, 1978, enclosed with your letter. We have also received a letter dated December 7, 1979, from the Federal Reserve Bank of Richmond. -3616

Our bid protest jurisdiction is based on our authority to adjust and settle accounts and to certify balances in the accounts of accountable officers under 31 U.S.C. §§ 71 and 74 (1976). From your letter, it does not appear that federally appropriated funds are involved in the procurements you question, and this Office has no statutory authority to settle accounts of the FRS banks. Johnson Controls, Inc., B-186634, January 13, 1977, 77-1 CPD 26. Thus, we could not consider the merits of your position under our Bid Protest Procedures. 4 C.F.R. § 20.1(a)(1979).



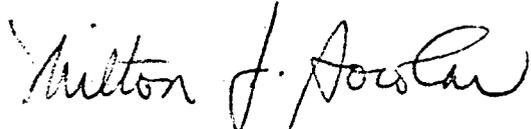
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Moreover, reliance upon our Bid Protest Procedures is misplaced. The procedures are designed to resolve issues related to individual procurements upon protests filed by aggrieved parties. Here, as we understand it, there is no longer a controversy between Brink's and the FRS as to applicability of the Service Contract Act. You ask that we make a general review of FRS armored car procurement practices to assure compliance with legal requirements. In light of the fact that the basic legal issue has been fully resolved, we find no sufficient basis to initiate a review at your request.

We are sending a copy of this letter to Mr. William C. Fitzgerald, Assistant General Counsel of the Federal Reserve Bank of Richmond.

Sincerely yours,



Milton J. Socolar  
General Counsel

cc: Mr. William C. Fitzgerald  
Assistant General Counsel  
Federal Reserve Bank  
of Richmond