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DECISION



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

FILE: B-201854

DATE: February 27, 1981

MATTER OF: Raymond Construction Co., Inc.

DIG 06189
~~REC 00212~~

DIGEST:

GAO will not consider complaint objecting to failure of ~~Department of Housing and Urban Development (HUD)~~ to fund a lower-income housing project proposed by contractor in response to notice of fund availability under HUD's Section 8 Housing Assistance Payments Program for New Construction, 24 C.F.R. Part 880 (1980), since GAO generally does not consider complaints regarding award of grants or other Federal assistance.

Raymond Construction Co., Inc. objects to the failure of the Department of Housing and Urban Development (HUD) to fund a lower-income housing project proposed by Raymond in response to a notification of fund availability under HUD's Section 8 Housing Assistance Payments Program for New Construction. Under this program, HUD makes monthly payments to the developer-owner of a selected lower-income housing project to make up the difference between what a lower-income family can afford and the fair market rent for a housing unit. The monthly payments are made pursuant to a Housing Assistance Payments Contract, which is executed upon satisfactory completion and final HUD approval of the selected project. See generally, 24 C.F.R. Part 880 (1980).

Our Office, in accordance with our Public Notice at 40 Fed. Reg. 42406 (1975), will review complaints of prospective contractors concerning the propriety of contract awards made by recipients of Federal grant funds. In addition, we consider complaints of prospective contractors concerning the award of a contract made by the recipient of Federal assistance under a

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cooperative agreement. See XCavators, Inc., B-198297, September 29, 1980, 59 Comp. Gen. _____, 80-2 CPD 229. However, we generally do not consider complaints concerning the award of grants or other Federal assistance. Burgos & Associates, 59 Comp. Gen. 273 (1980), 80-1 CPD 155; Washington State Department of Transportation, B-193600, January 16, 1979, 79-1 CPD 25.

Inasmuch as Raymond is questioning the failure of HUD to award Federal assistance through a Housing Assistance Payments Contract, we will not consider Raymond's complaint.

Larry R. Van Cleave

For Milton J. Socolar
General Counsel