

01664

J. Cohen
Proc. J.

DECISION



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

FILE: B-188560

DATE: April 6, 1977

MATTER OF: U.S. Pipe and Foundry Company

DIGEST:

Since protest concerns procurement that will not involve expenditure of appropriated funds, matter is not subject to settlement by GAO and is dismissed.

U.S. Pipe and Foundry Company protests the rejection of its low bid as nonresponsive and award to another bidder under invitation for bids DACA78-77-B-C022 issued by the Middle East Division, U.S. Army Corps of Engineers, for piping and valves. The procurement is being administered by the issuing activity on behalf of the Government of Saudi Arabia, which is providing all necessary funding. Thus, no expenditure of appropriated funds is involved.

It is well established that our Office does not render decisions with respect to procurements that do not involve the expenditure of appropriated funds, since our bid protest jurisdiction is based upon our authority to adjust and settle accounts and to certify balances in the accounts of accountable officers under 31 U.S.C. §§ 71, 74 (1970). Where we do not have such settlement authority over the account concerned, we have declined to consider protests. Philadelphia Gear Corporation, B-188032, January 28, 1977, 77-1 CPD 75; Tele-Dynamics, Division of AMBAC Industries, 55 Comp. Gen. 674 (1976), 76-1 CPD 60.

Since no useful purpose would be served by our consideration of the matter, the protest is dismissed.

Paul G. Dembling
Paul G. Dembling
General Counsel