

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
**CONTRACT APPEALS BOARD**

PROTEST OF:

The ARRIBA Center	)	
1925 K Street, N.W. #220	)	CAB No. P-0718
Washington, D.C. 20006	)	
	)	
Under Education Grant RFA 1215-06	)	

For the Protester, Arriba Center: Dr. Cris Covelli, Executive Director, Arriba Center. For the Government: Howard S. Schwartz, Esq., and Talia S. Cohen, Esq., Assistant Attorneys General, District of Columbia Government.

Opinion by Administrative Judge Warren J. Nash, with Chief Administrative Judge Jonathan D. Zischkau, concurring.

**OPINION**

*(Lexis-Nexis Filing ID 10458203)*

Protester Arriba Center alleged in its protest that the District had improperly excluded Arriba from the award of a grant under Education Grant Request for Applications (“RFA”) No. 1215-06. The RFA closed on July 15, 2005. On October 20, 2005, Arriba filed its protest. The District filed a Motion to Dismiss the protest, asserting that the Board lacks jurisdiction to review a grant award. The Board agrees and dismisses the protest.

**DISCUSSION**

On May 26, 2005, the Office on Latino Affairs (“OLA”) issued RFA No. 1216-06 for award of educational grants (Motion to Dismiss, Ex. 1). The source of the grant funds is the OLA Latino Community Education Grant Program. Arriba submitted its application to OLA in response to the RFA. The FY 2006 Latino Community Education Grant Program offers grants of up to \$85,000 to community based organizations located in the District of Columbia. The grant funds are intended to enhance existing and startup programs focused on education and job preparedness. A successful application for the funds would result in a grant to the party that submitted the application.

The Board’s jurisdiction is established by the Procurement Practices Act. D.C. Code § 2-309.03 (2001 ed.). That Act specifically excludes from its coverage, and therefore from the Board’s jurisdiction, any “contract or agreement receiving or making grants-in-aid or for federal financial assistance.” *Id.* § 2-301.04(b). Since this matter relates to the award of a grant, the Board is without jurisdiction. *Community Health Ministry*, CAB No. P-0665, Mar. 25, 2003, 50 D.C. Reg. 7486.

The protest is dismissed for lack of jurisdiction.

DATE: January 31, 2006

/s/ Warren J. Nash  
WARREN J. NASH  
Administrative Judge

CONCURRING:

/s/ Jonathan D. Zischkau  
JONATHAN D. ZISCHKAU  
Chief Administrative Judge