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**DECISION**

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

FILE: B-196598

DATE: March 10, 1980

MATTER OF: I. Alper Company

*DL904049*

**DIGEST:**

*Solicitation*

[Protest against restriction] to minority-owned businesses in invitation for bids which has been canceled is dismissed as academic.

*A firm*  
I. Alper Company (Alper) protests the restriction of eligibility to bid to minority-owned businesses under invitation for bids (IFB) No. X66-255-001 for a roofing contract on the 30th Street Station in Philadelphia, Pennsylvania, issued by Amtrak under a contract with the Federal Railroad Administration, (FRA), Department of Transportation (DOT). The protested provision was required to be included in the solicitation by the FRA.

*AGC00153  
AGC00213*

*Subsequently, OAD was*  
Our Office has been advised by DOT that the IFB for a separate roofing contract is no longer needed since the roofing will be incorporated into a full station development contract and, thus, the IFB has been canceled.

*Speculatively*

Cancellation of the IFB renders Alper's protest academic. Power Testing, Inc., B-195267, November 13, 1979, 79-2 CPD 350.

*file*

The protest *was* dismissed.

*for*  
Henry R. Van Orman  
Milton J. Socolar  
General Counsel

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