

DECISION



19251
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-202131

DATE: August 25, 1981

MATTER OF: Northwest Forest Workers Association

DIGEST:

Protest by association against solicitation payment formula is dismissed. Since three firms represented by the association were able to submit bids and two of the firms received award, objection no longer relates to award, but to contract performance terms, for resolution by the contracting agency.

Northwest Forest Workers Association (NFWA) protests the payment formula contained in invitation for bids (IFB) No. R6-18-81-023, issued by the Department of Agriculture, Forest Service (Forest Service), for tree planting. NFWA contends that the payment formula is defective, unfair, and unclear, which makes it impossible to calculate a responsive bid including foreseeable costs.

NFWA represents Hoedads, Inc., Wildroot Enterprises, Inc., and Second Growth, Inc., among others. Despite the alleged solicitation defect, those three firms were able to submit bids in response to the IFB. Of the four awards made by the Forest Service, Hoedads received two contracts and Wildroot one contract.

In similar circumstances, we have dismissed protester-awardee protests because the objection no longer related to the propriety of the contract award, but to the terms of contract performance, for resolution by the contracting agency. See Kentucky Building Maintenance, Inc., B-189877(3), October 19, 1977, 77-2 CPD 305; What-Mac Contractors, Inc., B-187782, December 1976, 76-2 CPD 500. We see no basis to reach a different result here because the protest was filed by an association.

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Protest dismissed.

F. H. Bowley Jr.

For

Harry R. Van Cleve
Acting General Counsel