

DECISION

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

FILE: B-211090**DATE:** June 17, 1983**MATTER OF:** Kahn Instruments, Inc.**DIGEST:**

1. Where all three bids received under IFB were properly rejected as nonresponsive, cancellation of IFB is proper.
2. Protest against restrictiveness of salient characteristics filed after bid opening is untimely under 4 C.F.R. § 21.2(b)(1) (1983).

Kahn Instruments, Inc. (Kahn), a large business, protests the choice of salient characteristics for a small business set-aside, brand name or equal invitation for bids (IFB) as well as the subsequent cancellation of the IFB, No. F-40650-83-B0003, issued by Arnold Air Force Station, Tennessee.

We dismiss the protest.

Kahn submitted a bid for six dewpoint hygrometers which was rejected as nonresponsive because Kahn did not qualify as a small business and because Kahn's products did not conform to the salient characteristics in the solicitation.

Kahn contends that the brand name manufacturer is a large business and, therefore, Kahn also submitted a bid and, further, the salient characteristic under which it was rejected is a proprietary feature of the brand name and unnecessary.

We note that the Air Force rejected all three bids received, including the brand name manufacturer's because it was not a small business, and canceled the solicitation. An unrestricted solicitation has now been issued.

Since there were no responsive bids submitted, cancellation of the instant IFB was proper.

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We also note that Kahn's protest against the salient characteristics was received after bid opening and is therefore untimely. 4 C.F.R. § 21.2(b)(1) (1983); Military Services of Monterey, B-207704, August 24, 1982, 82-2 CPD 175.

Protest dismissed.

for *J. H. Barclay*
Harry R. Van Cleve
Acting General Counsel