

DECISION



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

FILE: B-212146

DATE: July 21, 1983

MATTER OF: Mark Dunning Industries, Inc.

DIGEST:

Allegation that one firm's bid is unbalanced and should be rejected is dismissed as academic where that firm was not the low responsive, responsible bidder and is not in line for award.

Mark Dunning Industries, Inc. protests the award of a contract to Executive Suite Services under invitation for bids (IFB) No. DDAH03-83-B-0032, issued by the Department of the Army for maintenance services. Dunning contends that Executive's bid was unbalanced and thus should be rejected.

The Army has advised us informally that Falls Janitorial Services, not Executive, was the low responsive, responsible bidder on this procurement, and is in line for award. Since Executive, the second low bidder, thus will not receive the award, it is academic whether its bid was unbalanced. Our Office will not consider the merits of such academic questions. See BVR, Inc., B-209511, January 28, 1983, 83-1 CPD 96.

The protest is dismissed.

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel

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