

DECISION

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

FILE: B-212442; B-212442.2 **DATE:** October 24, 1983

MATTER OF: Professional Carpet Service

DIGEST:

Cancellation after bid opening of portion of solicitation on which the protester submitted a bid was proper where specifications did not reflect agency needs.

Professional Carpet Service (PCS) protests the cancellation of the carpet installation portions of invitations for bids (IFB) Nos. WF-CG-G7-R-1018 and WF-CG-G7-R-1048 issued by the General Services Administration (GSA) for carpet cleaning, repairs, and related services.

We deny the protest.

PCS submitted a bid on the carpet installation portions of the IFB's. Citing numerous examples, the contracting officer determined that the identical carpet installation specifications in both solicitations neither adequately described the government's total requirements nor provided for consideration of cost factors inherent to the work. Because of this, the contracting officer stated that bidders would be permitted to charge the agencies separately from the contract for the uncovered services at substantially higher "open market prices." Consequently, the contracting officer decided to make no awards for the carpet installation portions of the solicitations and to resolicit using revised specifications which would accurately reflect government needs.

This Office has long recognized that contracting officials have broad discretion to determine whether a solicitation should be canceled and the contract reprocured. Apex International Management Services, Inc., 60 Comp. Gen. 172 (1981), 81-1 CPD 24. Our

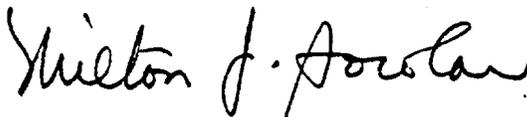
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review is limited to the question of reasonableness of the exercise of discretion. Sperry Univac, B-195028, January 3, 1980, 80-1 CPD 10. It is incumbent upon the protester to establish that the contracting officer abused this discretion. A&C Building and Industrial Maintenance Corporation, B-205259, December 15, 1981, 81-2 CPD 478. Generally, the use of inadequate specifications provides a cogent and compelling reason for invitation cancellation. Pacific Scientific Company, Gardner - Neotec Division, B-208193, January 18, 1983, 83-1 CPD 61. Specifications are inadequate when they do not state the government's actual needs. Custodial Guidance Systems Inc., B-206988, July 6, 1982, 82-2 CPD 19.

Based upon our review of the specific defects in the solicitations pointed out by the agency, we find that the contracting officer reasonably concluded that the specifications failed to reflect the government's actual needs. PCS has not even alleged that the specifications did state the government's actual needs. In this regard, PCS initially contended that GSA improperly canceled the carpet installation portions of the solicitations because its bid prices under the specifications were not comparable to industry prices. However, on receipt of the agency protest report giving a different reason for cancellation, PCS merely noted that "GSA has been aware for years of the problem they suddenly found so urgent." Accordingly, we find that cancellation of the installation carpet portions of the solicitations was reasonable.

In view of our conclusion, we need not consider GSA's contention that PCS is not an interested party with regard to IFB No. -1018 (B-212442.2) because PCS was not the low bidder for the items on which it bid.

Protest denied.


for Comptroller General
of the United States