

DECISION



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

28637

FILE: B-215068

DATE: June 27, 1984

MATTER OF: International Alliance of Sports Officials

DIGEST:

Protest of proposed award under a solicitation is rendered academic by agency's subsequent rejection of the bid submitted by the proposed awardee.

International Alliance of Sports Officials (IASO) protests the proposed award of a contract to First Lakewood Athletic Officials Association under invitation for bids DAKF57-84-B-0103 issued by the Department of the Army for sports officiating services at Ft. Lewis, Washington.

IASO contends that Lakewood is substantially owned or controlled by government employees and consequently award to that organization would violate Defense Acquisition Regulation, § 1-302.6, reprinted in 32 C.F.R. pts. 1-39 (1983), which provides that no agency knowingly shall enter into a contract with employees of the government or a business organization that is substantially owned or controlled by government employees except for the most compelling reason, such as where the needs of the government cannot reasonably be otherwise supplied. IASO argues that Lakewood therefore is ineligible for award.

The Army subsequently advised our Office that Lakewood's bid was not signed and it was therefore rejected for failure to conform to the essential requirements of the solicitation. Rejection of the proposed awardee's bid renders IASO's protest academic, and we will not consider the matter.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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