

**DECISION**



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

**FILE:** B-220065.2

**DATE:** November 15, 1985

**MATTER OF:** Memorex

**DIGEST:**

A protest of the agency's rejection of a proposal is dismissed as academic where the agency canceled the solicitation under which the proposal was submitted.

Memorex protests the rejection of its proposal as technically unacceptable under request for proposals (RFP) No. N00600-85-R-1166 issued by the Naval Regional Contracting Center for ADP tape drives and related equipment.

Memorex contends that although its proposal was initially considered acceptable, the Navy now proposes to reject the Memorex proposal because the equipment offered does not have a tape rewind speed of 50 seconds per 2400 feet as required by the solicitation. Memorex argues that this requirement exceeds the agency's needs and further asserts that the Navy proposes to accept another offeror's proposed IBM model 3420-8, which the protester argues does not meet the size requirements of the solicitation. Finally, Memorex complains that the Navy improperly called for a second round of best and final offers when it should have made award to Memorex based on that firm's initial best and final offer.

The Navy has advised our Office that the solicitation has been canceled because funding for the equipment expired at the end of the fiscal year. Our Office will not consider a protest when the underlying solicitation is canceled since the cancellation renders the protest academic. Triumph United Corp., B-217482, Feb. 14, 1985, 85-1 CPD ¶ 200.

Accordingly, the protest is dismissed.

  
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Deputy Associate  
General Counsel

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