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DECISION



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

FILE: B-222384.2

DATE: June 17, 1986

MATTER OF: Fredeman Shipyard, Inc.

DIGEST:

Protest that award should not be made to any other bidder is dismissed as academic where the agency has canceled the solicitation.

Fredeman Shipyard, Inc. (Fredeman), protests any agency action to award a contract to any other bidder under invitation for bids No. DAHA41-86-B-0009, issued by the Department of the Army, National Guard Bureau, for the drydocking and repair of a vessel. Fredeman contends that all other bids submitted were nonresponsive because they were not accompanied by a bid bond.

By letter dated June 4, 1986, the Army advised our Office that the contracting officer has canceled the solicitation. Our Office will not consider a protest when the solicitation underlying it has been canceled since cancellation renders the protest academic. Hill Aviation Logistics, B-218824, May 16, 1985, 85-1 C.P.D. ¶ 560. Accordingly, we dismiss Fredeman's protest concerning the responsiveness of the other bids. We do note, however, that Fredeman and another bidder subsequently have protested the cancellation of the solicitation. These protests will be separately processed under our Bid Protest Regulations set forth at 4 C.F.R. part 21 (1986).

Robert M. Strong
Deputy Associate General Counsel

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