



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Joseph Carter

File: B-227094

Date: June 17, 1987

DIGEST

1. Protest that agency may in the future award a contract to a higher cost offeror is premature and is dismissed.
2. Protest against specifications, which have been deleted from the solicitation, is moot and is dismissed.

DECISION

Joseph Carter protests the award of a lease to any offeror but himself under request for proposals (RFP) No. GS-09B-86159, issued by the General Services Administration (GSA).

The protest is dismissed.

Carter states that his offer is not being considered and that he is quite certain that his offered price is by far the most desirable for the government. Carter protests any award to a higher cost offeror. Carter also states that GSA has notified Carter that his offered property does not conform to certain requirements in the solicitation relating to accessibility and location.

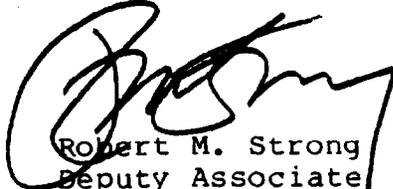
GSA has informed us that the latter requirements relating to accessibility and location have been deleted from the solicitation by amendment No. 4. Moreover, GSA states that Carter's offered building will be considered and best and final offers have been extended on account of the action taken in amendment No. 4.

Since no award has been made, Carter's protest against the possible selection of a higher cost offeror is premature and is accordingly dismissed. 4 C.F.R. § 21.3(f) (1986). With

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regard to Carter's protest against the solicitation's restrictions which have since been deleted, Carter's protest is now academic and is also dismissed. 4 C.F.R. § 21.3(f).

The protest is dismissed.



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General Counsel