



The Comptroller General
of the United States

Washington, D.C. 20548

Stc - PL

Decision

Matter of: Electra-Motion, Inc.

File: B-229671

Date: December 10, 1987

DIGEST

Protest alleging that awardee received inside information is dismissed where only evidence submitted by protester is fact that awardee submitted a lower price. General Accounting Office does not conduct investigations to establish validity of protester's speculative statements.

DECISION

Electra-Motion, Inc. protests the proposed award of a contract to Motor Technologies, Inc. under Defense Logistics Agency's (DLA) request for proposals (RFP) No. DLA-400-87-R-5632 for electric motors.

Electra-Motion argues that Motor Technologies, the low offeror, had possible inside information regarding the solicitation. According to the protester, Motor Technologies in its current bid deleted \$42,500 from the price it offered for a first article under an earlier solicitation for the same items and lowered its unit prices for production items because it had access to "bidder information" as the result of the termination of the protester's prior contract for these same motors. Electra-Motion requests that this Office conduct an investigation of the matter.

Electra-Motion has submitted no evidence that DLA disclosed any information to Motor Technologies. Its only evidence is Motor Technologies' lower price. The fact that Motor Technologies happened to underbid the protester in and of itself certainly does not show that Motor Technologies had improper access to agency information regarding the procurement. The protest thus is based upon speculation only. Our Office will not find improper action by an agency based on conjecture or inference. It is also not our practice to conduct investigations pursuant to our bid

040816

protest function for the purpose of establishing the validity of a protester's speculative statements. See Key Book Service, Inc., B-226775, Apr. 29, 1987, 87-1 CPD ¶ 454.

Electra-Motion's submission does not indicate any valid basis for protest. Accordingly, pursuant to our Bid Protest Regulations at 4 C.F.R. § 21.3(f) (1987), the protest is dismissed.


Ronald Berger
Deputy Associate
General Counsel