



**Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Executive-Suite Services, Inc.

File: B-242668

Date: February 14, 1991

Walter N. Prince for the protester.
Jeanne Isrin, Esq., Office of General Counsel, GAO,
participated in the preparation of the decision.

DIGEST

Protester's objection to agency refusal to announce cost estimate for government performance under cost comparison, without any claim to award or objection to solicitation, fails to state valid basis for protest under Bid Protest Regulations.

DECISION

Executive-Suite Services, Inc. objects to the refusal by the Department of Veterans Affairs (VA) to make public the cost estimate for government performance under invitation for bids (IFB) No. 665-26-90, for contractor-owned, contractor-operated warehouse operations at the VA Medical Center in Sepulveda, California. We dismiss the protest.

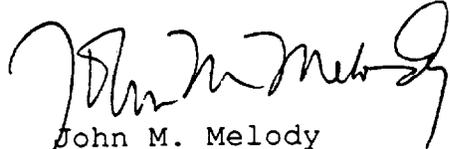
The procurement was subject to a government cost comparison to determine whether the cost of accomplishing the specified work would be lower if performed by contract rather than in-house. The solicitation stated clearly that no contract would be awarded, irrespective of the cost comparison results, unless two or more bidders responded. At the bid opening, Executive-Suite was the only bidder, so no award could be made under the terms of the solicitation. Apparently in view of this fact, the contracting officer refused to read aloud the cost estimate for government performance. Executive-Suite argues that the cost estimate should be made public, relying on solicitation provisions which stated that the estimate would be announced at bid opening, with no further qualification.

Executive-Suite has not stated a valid basis for protest. Our role in reviewing protests under the Competition in Contracting Act of 1984, is to determine whether solicitations, awards or proposed awards comply with statutes and regulations. 31 U.S.C. § 3554(b)(1) (1988). The agency's refusal to disclose the government's estimate is not an alleged

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deficiency that would have any effect on the propriety of the award decision, and Executive-Suite does not so allege. Accordingly, we will not consider the matter.

The protest is dismissed.

A handwritten signature in black ink, appearing to read "John M. Melody". The signature is fluid and cursive, with the first name "John" being the most prominent.

John M. Melody
Assistant General Counsel