



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Wm. Cargile Contractor, Inc.--Claim for Costs
File: B-244979
Date: August 1, 1991

William Cargile III, for the protester.
Catherine M. Evans, Esq., Office of the General Counsel, GAO,
participated in the preparation of the decision.

DIGEST

Where there is no basis for General Accounting Office to determine that agency acted contrary to statute or regulation in canceling solicitation, offeror is not entitled to recover proposal preparation costs.

DECISION

Wm. Cargile Contractor, Inc. requests reimbursement of its proposal preparation costs under request for proposals (RFP) No. N62477-91-R-P0003, issued by the Department of the Navy for construction of housing. Cargile believes it is entitled to reimbursement of its costs because the Navy canceled the solicitation the day before proposals were due.

We dismiss the claim.

Our authority to award proposal preparation costs is predicated on a determination by our Office that an agency has acted contrary to statute or regulation. 31 U.S.C. § 3554(c)(1) (1988). As Cargile has not alleged that the Navy improperly canceled the solicitation, or provided us with any other basis to determine that the Navy acted contrary to statute or regulation, it is not entitled to reimbursement of its costs.

The claim for costs is dismissed.

John M. Melody
Assistant General Counsel