



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Gartrell Travel Service, Inc.

File: B-259699.2

Date: January 23, 1995

DECISION

Gartrell Travel Services, Inc. protests the award of a contract by the General Services Administration (GSA) under solicitation No. 7FXI-X5-93-S010-N for a Travel Management Center. Gartrell alleges that (1) GSA violated its own moratorium in making the award because a directive, dated August 18, 1994, suspended all Travel Management Center contract awards until further notice; and (2) because the Small Business Administration (SBA) changed the applicable small business size standards while this procurement was being conducted, GSA should have amended the solicitation or otherwise proceeded to allow competition based on the new size standard.

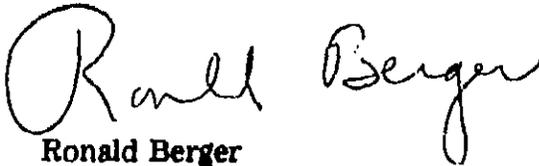
We dismiss the protest.

The solicitation was issued in early 1994; Gartrell submitted its proposal by the February 10, 1994 closing date for receipt of proposals. The new size standard went into effect on April 22, 1994. Gartrell was subsequently informed that the SBA had determined it to be other than a small business for this solicitation under the original size standard. For reasons unrelated to the size standard change, GSA's Transportation Management Division, by memorandum of August 18, 1994, advised all Traffic and Travel Zone Managers that GSA was reviewing its Travel Management Center procurement procedures and "this review affects all pending procurements; therefore, no awards can be made nor solicitations issued until [the review] is completed." By letter of October 4, Gartrell was notified of the proposed award to Summit Travel of Kendall, Inc. The instant protest followed.

Gartrell does not state a valid basis for protest. First, the fact that a GSA office did not comply with the direction of its higher headquarters does not involve a violation of law or regulations, it involves only a matter of compliance with executive agency policy which by itself is not a legal basis for protesting the award. Second, with regard to Gartrell's allegation that the competition should have been conducted on

the basis of the new size standard, we point out that the new standard was effective as of April 22, 1994, and was not retroactive. Therefore, since the solicitation was issued and initial proposals due prior to that date, there was no requirement for GSA to revise the size standard applicable to this procurement.

The protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger". The signature is written in black ink and is positioned above the printed name and title.

Ronald Berger
Associate General Counsel