

DOCUMENT RESUME

02978 - [A2013079]

[Protest to Solicitation Cancellation and Suggestion That GAO Set Procurement Standards]. B-189322. July 11, 1977. 2 pp.

Decision re: Young Engineering Systems; by Paul G. Dembling, General Counsel.

Issue Area: Federal Procurement of Goods and Services (1900).  
Contact: Office of the General Counsel: Procurement Law II.  
Budget Function: General Government: Other General Government (806).

Organization Concerned: Department of Health, Education, and Welfare.

Authority: 47 Comp. Gen. 21. 47 Comp. Gen. 25.

Protest was made to procurement which was canceled and protester was so notified. Protester requested that GAO assist agency in establishing standards for computer procurements, including testing. Protest regarding cancellation of solicitation by agency was moot. GAO's bid protest function does not include establishing criteria for guidance of contracting officers and contractors, except as GAO decisions in particular cases serve that purpose. (Author, DJM)

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**DECISION**



*Eaton*  
*Rm 7074*

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548  
*P. L. II*

FILE: S-189322

DATE: July 11, 1977

MATTER OF: Young Engineering Systems

DIGEST:

1. Protest regarding solicitation which has been canceled by procuring agency is moot.
2. GAO's bid protest function does not include establishing criteria for guidance of contracting officers and contractors in computer procurement, except to extent that decisions in particular cases serve this purpose.

Young Engineering Systems (Young) has protested various actions by the Department of Health, Education, and Welfare (HEW) in connection with request for proposals (RFP) No. 29-77-HEW-OS, a computer procurement. Specifically, Young alleges that HEW insisted that hardware changes be made by the firm in order for it to be considered for award and that HEW "demanded" a benchmark test on one hour's notice but failed to appear for it as scheduled.

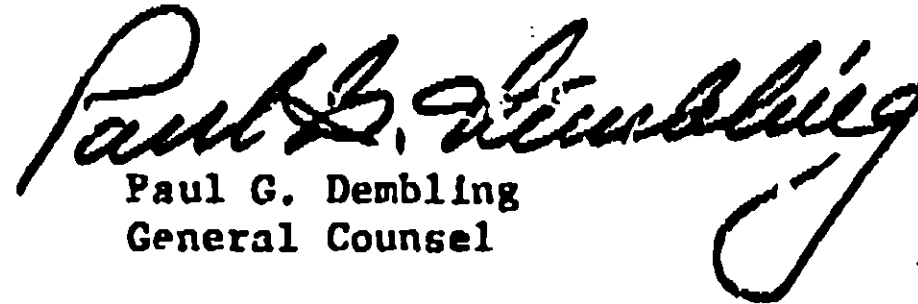
Young requests that our Office decide whether a benchmark test is necessary for all contractors responding to this solicitation, since the firm obtained "perfect" results from a benchmark tape previously provided by HEW. If so, Young asks that we require HEW to give contractors advance written notice and provide them with sample data tapes and computer programs. Young suggests that our Office should assist HEW in developing descriptions of technical data, processes to be performed, and written statements of the exact results expected, e.g., what constitutes passing or failing, for future benchmark tests. These also should be provided to prospective contractors, Young states.

We are advised by HEW that the RFP in question was canceled on June 10, 1977, and that Young was notified of this by telegram. Young's protest therefore is moot. As for Young's suggestion that we assist HEW in establishing standards for computer procurements, including testing, it is not within our province to establish criteria for the guidance of contracting officers and contractors,

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except to the extent that our decisions in particular cases may serve this purpose. See 47 Comp. Gen. 21, 25 (1967).

Accordingly, the protest is dismissed.

  
Paul G. Dembling  
General Counsel