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DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

FILE: B-197508

DATE: February 14, 1980

MATTER OF: S.E.S. Company, Inc. 3910

DIGEST:

Protest of contract award is moot where contract has been terminated, specifications are being amended and requirement will be resolicited.

S.E.S. Company, Inc. (S.E.S.) protested to this Office regarding a contract awarded by the Veterans Administration. S.E.S. contends its bid should have been accepted because it was the lowest complying with the specifications and that acceptance of a higher bid which did not so comply was improper. ^{AGC} - 06016

We have been informed by the Veterans Administration that the contract awarded has been terminated for the convenience of the Government and the specifications are being amended so they will be less restrictive of competition and will conform to our recent decision in Fisher Berkeley Corporation; International Medical Industries, B-196432.2, January 9, 1980, 80-1 CPD When the revised specifications are completed, it is the intention of the agency to resolicit the requirement. As the original solicitation did not reflect the agency's needs, any award based thereon would be improper. Therefore, we believe the protest is moot and that no useful purpose would be served by our consideration of it. See Lawn Grooming Service, B-191892, September 27, 1978, 78-2 CPD 237; Trionic Industries, Inc., B-192627, April 19, 1979, 79-1 CPD 277.

This protest is dismissed.

Harry R. Van Cleave
→ for Milton J. Socolar
General Counsel
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[Protest Against Acceptance of Higher Bid]