

118004
DECISION



21383
THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20540

Martin

FILE: B-205175

DATE: April 5, 1982

MATTER OF: LOGICON, INC.

DIGEST:

1. Protest based on offeror's failure to receive amendment is denied. Protester has no basis for complaint since it learned during discussions that an amendment had been issued and could have made any necessary changes to its proposal in its best and final offer.
2. Claim for proposal preparation costs is denied where claim is based on protest which is denied.

LOGICON, INC. protests the award of a contract to the CALCULON Corporation under request for proposals (RFP) No. MDA903-81-R-0147, issued by the Defense Supply Service - Washington for services required to analyze and develop a functional description in connection with what is known as the "80X project." As originally issued, RFP Article C-2 mistakenly required that the contractor use Government-furnished tooling in performing the contract. LOGICON contends it did not receive amendment 1, which substituted contractor-furnished tooling, which LOGICON says would have allowed it to change its technical approach and reduce its proposal price. For the reasons discussed below, the protest is denied.

As LOGICON did not receive the amendment, it did not acknowledge receipt of it in its proposal. However, the agency evaluated its proposal and found it to be within the competitive range. Discussions were conducted with LOGICON at which time the agency says (and LOGICON does not deny) that LOGICON was informed of the amendment.

Since LOGICON knew of the amendment at the time discussions were conducted, it could have made any necessary changes in its best and final offer, Washington School of Psychiatry/The Metropolitan Educational Council for Staff Development, B-192756, March 14, 1979, 79-1 CPD 178. We therefore conclude that LOGICON was not prejudiced and that the protest is without merit.

The protest is denied.

LOGICON requests reimbursement for the costs of preparing its proposal. However, where a protest is denied, a claim for proposal preparation costs based on the protest must also be denied. Architectural Preservation Consultants; Resource Analysts, Inc., B-200872; B-200872.4; B-200955.2, December 8, 1981, 81-2 CPD 446.

The claim is denied.

for *Milton J. Rosler*
Comptroller General
of the United States