

DECISION**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548****FILE:** B-209815**DATE:** June 13, 1983**MATTER OF:** Gaffny Plumbing and Heating Corporation**DIGEST:**

protest that correction of mistake in bid was improper is academic where the solicitation is subsequently canceled and protester fails to show that cancellation was improper.

Gaffny Plumbing and Heating Corporation protests the Veterans Administration's (VA) failure to award it a contract under invitation for bids (IFB) No. 690-53-82. The IFB solicited bids for the installation of fire sprinklers at the Veterans Administration Medical Center in West Roxbury, Massachusetts. We dismiss the protest.

A.B.C. Sprinkler Company's bid of \$60,680 on item I (this item was for work on the Center's three floors) and \$9,650 on item II (this was an alternate item for work on just two of the three floors) was the lowest of the five bids received. Gaffny submitted the next low bid at \$138,000 for item I and \$118,000 for item II. Since ABC's bid was substantially lower than any of the other bids received, the VA requested ABC to verify its bid. Upon reviewing its bid ABC determined it had made a mistake and was permitted to make a correction. The VA later canceled the solicitation, however, because delays in completing another larger construction project at the Medical Center made the current installation of the fire sprinkler system impractical.

Gaffny contends that the VA improperly allowed ABC to correct its mistake and that ABC's bid instead should have been rejected as nonresponsive. Gaffny also protests VA's decision to cancel the solicitation, although it presents no arguments in support of its position. Gaffny believes it should have been awarded the contract as the low responsive bidder and asserts that it now should either receive the award or be permitted to recover its bid preparation costs of \$8,280.00.

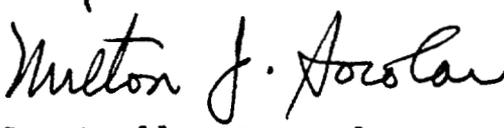
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We have frequently held that an agency may cancel a solicitation after bid opening when there exists a compelling reason to cancel. See A&M School Bus Service, B-208833, December 22, 1982, 82-2 CPD 566. Here, the VA determined that cancellation was necessitated by slow progress on a related project which would have made it impossible to locate the ducts in which the sprinkler system was to be installed. This justification appears to us to be a sufficiently compelling reason to cancel. Since Gaffny has presented no evidence or legal arguments supporting the opposite conclusion, its protest on this point is denied. Because VA's proper cancellation of the solicitation precludes an award to any bidder, Gaffny's protest concerning the correction of ABC's bid is academic and thus will not be considered on the merits. See Tone Industries, Inc., B-208633, October 8, 1982, 82-2 CPD 319.

Regarding Gaffny's claim for bid preparation costs, such costs are not recoverable where, as here, there is no showing that the Government has acted arbitrarily or capriciously. See D-K Associates, Inc., B-206196, January 18, 1983, 83-1 CPD 55.

The protest is denied in part and dismissed in part and the claim is denied.

for 
Comptroller General
of the United States