

DECISION



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

FILE: B-208449.2

DATE: September 14, 1983

MATTER OF: Logistical Support, Inc.

DIGEST:

Fifth-low responsive bidder under canceled solicitation is not an "interested party" under GAO Bid Protest Procedures to protest the cancellation where, even if protest were sustained, the firm would not be in line for award.

Logistical Support, Inc., protests the post-bid opening cancellation of invitation for bids (IFB) No. F32605-82-B-0048 issued by the Department of the Air Force for food service attendant services at Grand Forks Air Force Base, North Dakota. Essentially, Logistical contends that the Air Force lacked appropriate justification to cancel the IFB, and that cancellation and subsequent resolicitation will result in a prohibited auction due to the public disclosure of bids under the initial IFB. We dismiss the protest.

The report submitted by the Air Force indicates that Logistical submitted the fifth-low responsive bid under the canceled IFB. It further indicates that three lower bids were rejected as nonresponsive or because the bidder was nonresponsive. That leaves one bidder other than Logistical that would be in line for award if the IFB were reinstated. Under these circumstances, we must view the protester as not having the direct interest that is necessary to make it an "interested party" under this Office's Bid Protest Procedures, 4 C.F.R. § 21.1(a) (1983), to protest the cancellation. See Ven-Tel, Inc., B-204233, March 8, 1982, 82-1 CPD 207; cf. International Business Investments, B-202164.2, June 8, 1981, 81-1 CPD 459 (holding that a fifth-low bidder was not an interested party when there was at least one other firm to whom award could be made under the protested solicitation).

The protest is dismissed.

Harry R. Van Cleve

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