



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Elekta Instruments, Inc.

File: B-226616

Date: March 30, 1987

DIGEST

Where a protester fails to offer any evidence that the agency disclosed the firm's proposed price to another offeror, its contention in this regard is mere conjecture and thus provides no basis to sustain the protest.

DECISION

Elekta Instruments, Inc., protests the proposed award of a contract to Radionics, Inc., under Defense Logistics Agency (DLA) request for proposals (RFP) No. DLA120-86-R-1368 for nine stereotactic systems and accessories. We dismiss the protest.

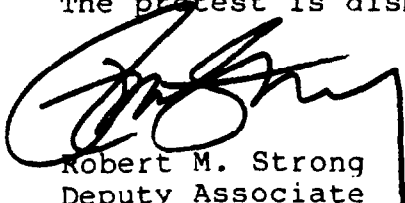
According to Elekta, DLA issued four amendments to the solicitation, each incorporating changes in the RFP and including a request for best and final offers. Elekta, which has been advised that it lost the competition because Radionics offered a lower price, argues that it "seems extremely likely" someone at DLA disclosed Elekta's offered prices to Radionics. The basis for Elekta's argument is that Elekta's response to the first amendment was an offer of \$352,000, compared to Radionics' response of \$401,414.50, but Radionics' response to each of the following amendments was less than Elekta's, culminating in Radionics' last offer of \$329,981, compared to Elekta's offer of \$338,455.

The fact that the successful offeror in a negotiated procurement reduces its price in response to a request for best and final offers does not establish that a competitor's price was revealed. United States Forgecraft Corp.--Reconsideration, B-224509.2, Aug. 13, 1986, 86-2 C.P.D. ¶ 182. Elekta has presented no evidence that DLA disclosed Elekta's offers to Radionics, so that the protest thus is

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founded on speculation only. Our Office will not find improper action by an agency based on conjecture or inference. Id.

The pretest is dismissed.



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