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Comptroller General  
of the United States  
Washington, D.C. 20548

## Decision

**Matter of:** All Star Carpet and Bedding, Inc.

**File:** B-242490.3

**Date:** April 4, 1991

Annette Vedsegaard for the protester.  
Karen L. Turner and John G. Brosnan, Esq., Office of the  
General Counsel, GAO, participated in the preparation of the  
decision.

### DIGEST

Cancellation of request for quotations issued under small  
purchase procedures is proper where agency determines that  
amount involved will exceed authorized ceiling for use of  
small purchase procedures.

### DECISION

All Star Carpet and Bedding, Inc. protests the cancellation of  
request for quotations (RFQ) No. 231-03168-085, issued by the  
National Aeronautics and Space Administration's (NASA) Goddard  
Space Flight Center, Greenbelt, Maryland for carpet repair and  
installation.

We dismiss the protest without obtaining an agency report  
because the protest does not on its face state a valid basis.  
See Bid Protest Regulations, 4 C.F.R. § 21.3(m) (1991).

The RFQ, which was issued on August 14, 1990, required the  
contractor to provide all of the necessary labor and  
equipment for the installation, repair and removal of carpet  
as well as moving and replacing of furniture. All Star  
submitted a quote in response to the RFQ. Subsequently, NASA  
amended the RFQ four times to, among other things, change the  
price evaluation scheme by adding estimated quantities for  
each line item of work, and to change the line item  
description to more accurately reflect the agency's minimum  
needs. At this point, after being advised by the agency that  
it would not make award under the RFQ as it was presently  
constituted but would solicit still another round of quotes,  
All Star protested to our Office, complaining of the manner in  
which the current solicitation and a prior solicitation for  
the same services had been handled. NASA then reported to  
our Office that the final quotes received under the current  
RFQ exceeded the small purchase limitation of \$25,000, see


Federal Acquisition Regulation (FAR) § 13.101, and that there was some doubt that the Center still had a need for the services. Based upon these concerns the agency canceled the RFQ and stated that if the requirement still existed it would solicit on the basis of full and open competition rather than under the small purchase procedures. We therefore dismissed All Star's protest as academic. All Star Carpet and Bedding, Inc., B-242490.2, Mar. 5, 1991, 91-1 CPD ¶ \_\_\_\_.

All Star then submitted this subsequent protest, objecting to the cancellation of the solicitation and the issuance of any other solicitation by NASA for the procurement of carpet installation and related services. All Star contends that NASA's solicitation process has been and continues to be manipulated to favor another company and questions the validity of the increase in quantity requirements made under the canceled RFQ.

The Competition in Contracting Act and implementing regulations authorize use of small purchase procedures where the amount involved does not exceed \$25,000. 10 U.S.C. § 2304(g)(2) (1988); FAR § 13.000. Thus, once the contracting officer determined that the amount of the procurement would exceed the dollar ceiling, we think the agency acted appropriately in deciding that its needs should be satisfied through full and open competition and that the RFQ should be canceled.

While it is clear from the record that this procurement was a troubled one, involving at least two solicitations, each of which was amended several times, there is no evidence to support the protester's view that NASA officials were attempting to direct the award to another firm. For us to find that NASA officials acted in bad faith towards the protester, the record must show that the contracting agency directed its actions with the specific intent to injure the protester. American Management Co.--Recon., B-228280.2, Mar. 7, 1988, 88-1 CPD ¶ 242. We do not believe that either the protester's allegations or anything else on the record before us meets this standard.

The protest is dismissed.

  
Ronald Berger  
Associate General Counsel