



Comptroller General
of the United States

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Washington, D.C. 20548

Decision

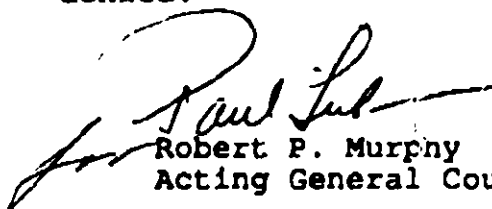
Matter of: Doninger Metal Products Corp.
File: B-258424.4
Date: November 16, 1994

DECISION

Doninger Metal Products Corp. requests that our Office declare it entitled, pursuant to 4 C.F.R. § 21.69(e) (1994), to recover the reasonable costs of filing and pursuing a protest of solicitation No. DLA120-93-R-0183, issued by the Defense Logistics Agency. The agency took corrective action by the report due date.

We will find an entitlement to costs only where an agency unduly delayed taking corrective action in the face of a clearly meritorious protest. Oklahoma Indian Corp.--Claim for Costs, 70 Comp. Gen. 558 (1991), 91-1 CPD ¶ 559. Because in this instance the agency took prompt corrective action, there is no basis for determining that the payment of protest costs is warranted. See Dynair Elecs., Inc.--Entitlement to Costs, B-244290.2, Sept. 14, 1991, 91-2 CPD ¶ 260.

The request for a declaration of entitlement to costs is denied.


Robert P. Murphy
Acting General Counsel