



United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-229565.2

January 27, 1988

Mr. Edgar H. Beck, Jr.
Chief Operating Officer
RHA Clinical Equipment Services, Inc.
P.O. Box 31840
El Paso, Texas 79931

Dear Mr. Beck:

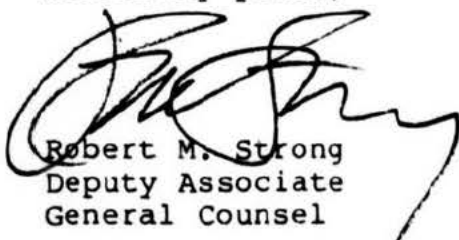
This responds to your letter requesting that we reconsider our January 4, 1988, dismissal of your protest of the award of a contract under Veterans Administration (VA) solicitation No. 544-026-87. You protested the VA's decision to make a numerical change in RHA's bid without consulting the firm, which displaced RHA as the low bidder. We dismissed the protest because you did not comment on the VA's protest report within 7 days after receipt as required by our Bid Protest Regulations.

Our records show that you received the report on December 22, 1987, and your comments were filed in our Office on January 5, 1988, after the 7 day period. The protest therefore properly was dismissed under our Regulations.

In any event, the report rendered the protest moot, because the VA advised that it had terminated the protested contract and had begun processing RHA's apparent mistake-in-bid in accordance with the Federal Acquisition Regulation. Notwithstanding your present contention that there were no mistakes in RHA's bid, we have see no reason to object to the VA's actions, since the agency has rectified an improper contract award and is giving RHA's bid fair consideration.

Our file on the matter is closed.

Sincerely yours,



Robert M. Strong
Deputy Associate
General Counsel