

*J.F.F.*  
*24580*

**DECISION**



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

**FILE:** B-211060

**DATE:** March 22, 1983

**MATTER OF:** Casper Janitorial Co.

**DIGEST:**

Failure of contracting agency to solicit incumbent contractor for current year contract does not constitute compelling reason to resolicit agency needs where no showing has been made that adequate competition was not obtained for procurement, that prices obtained were unreasonable, or that failure was result of deliberate or conscious attempt to preclude incumbent contractor from competing.

Casper Janitorial Co. (Casper), the incumbent contractor for the 1982-1983 janitorial services contract at the Waldport Ranger Station, requests that Siuslaw National Forest contract No. 53-04TO-2-0682S for the 1983-1984 janitorial services at the station be canceled and the procurement be resolicited so that it might bid on the procurement.

On various occasions just prior to the expiration of its contract, Casper states that it indicated its interest in bidding on the 1983-1984 contract to the representative of the contracting officer and requested that a copy of the solicitation be sent it at the time of its issuance. Casper was apparently assured that it would receive a copy of the solicitation. However, Casper did not receive a copy of the solicitation when it was issued and was advised that the procurement had been advertised, bids had been received and opened, and an award had been made.

Since it is clear from the protester's initial submission that the protest is without merit, the matter is decided without obtaining an agency report.

The failure of a contracting agency to solicit a potential supplier of services--even the incumbent contractor for the current year contract--so as to preclude him from competing on a procurement does not constitute a compelling

*024933*

reason to require the resolicitation of that procurement where, as here, it has not been shown that adequate competition was not generated on the procurement, reasonable prices were not obtained, or a deliberate or conscious attempt was made to preclude the potential supplier from competing on the procurement. U.S. Air Tool Co., Inc., B-192401, October 30, 1978, 78-2 CPD 307.

The protest is summarily denied.

for *Shilton J. Fowler*  
Comptroller General  
of the United States