

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

60195

FILE: B-185191

DATE: November 20, 1975

MATTER OF: E. C. Campbell, Inc.

97703

DIGEST:

Protest involving canceling of step II invitation for bids of two-step formally advertised procurement and negotiating with only acceptable proposer in step I is denied since there is no provision for permitting anyone to compete in step II who did not submit an acceptable proposal in step I.

E. C. Campbell, Inc. (Campbell), protests any award under request for proposals (RFP) DSA700-76-R-0572, issued by the Defense Construction Supply Center (DCSC), Columbus, Ohio.

As related by Campbell, this procurement was instituted on January 8, 1974, with the release of a request for technical proposals (RFTP), step I of a two-step formally advertised procurement. As a result of discussions, two firms were determined on January 23, 1975, to have submitted acceptable technical proposals. Campbell states that they were advised by one of the two firms that submitted an acceptable technical proposal that it decided not to compete for the second step because it was discontinuing the type of equipment offered in step I. Because of the foregoing, it appears that DCSC canceled step II and issued RFP -0572 to the other firm, Raymond Mobility Systems, submitting an acceptable technical proposal under step I.

Campbell protests the sole-source negotiations with Raymond Mobility Systems. Campbell maintains that it can provide the equipment, manufactured by Clay Bernard Systems International, desired by DCSC and requests the opportunity to compete.

The procedure apparently followed by DCSC in this instance, e.g., canceling the step II invitation for bids and negotiating a sole-source award with the only acceptable offeror from step I, is specifically authorized by Armed Services Procurement Regulation § 3-210.2(iii) (1975 ed.). Since there is no provision for permitting anyone to compete in step II who did not submit an acceptable proposal in step I, Campbell's protest is denied.

R. F. K. Man.
Deputy Comptroller General
of the United States