

DECISION

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

B-219239

FILE:

Plastics Design, Inc.

DATE: July 26, 1985**MATTER OF:****DIGEST:**

Protest of contracting agency's failure to release prior procurement history does not present valid basis for protest where protester fails to detail the information obtained by the protester after award allegedly indicating the history; and where there appears to be no legal basis for requiring the history's disclosure.

Plastics Design, Inc. (PDI) protests the contracting offeror's failure to provide it with the procurement history of the items being procured under the Army Armament, Munitions and Chemical Command solicitation No. DAAA09-85-B-0139. The protester states that, to help it compute its bid, it asked the contracting officer for the procurement history of the items, and the contracting officer responded that there was no history. PDI further alleges that, after another firm had been awarded the contract, the Army released information indicating that the items had an extensive history. According to the protester, if it had known this, it would have submitted a lower bid and might have received the award. PDI therefore requests termination of the contract, resolicitation of the requirement, and bid preparation costs.

We dismiss the protest. While the protester alleges that recently released information indicates the items had an extensive procurement history, and contends that it would have offered a lower price if it had known the history, the protester fails to detail the recently released information to support its contention or explain how that information would have led it to bid differently. Moreover, there is no law or regulation that generally requires the disclosure of the procurement history of items being purchased by the government. Although solicitations for requirements contracts must state a realistic estimate

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of the number of items the government will require under the contract, Federal Acquisition Regulation, 48 C.F.R. § 16.503(a)(1) (1984), and historical data may be a factor used to compute the contracting agency estimate, see Klein-Sieb Advertising and Public Relations, Inc., B-200399, Sept. 28, 1981, 81-2 CPD ¶ 251; PDI does not allege that the protested procurement involves a requirements contract that included an unrealistic estimate.

Our Bid Protest Regulations provide that this Office may summarily dismiss, without requesting a report from the contracting agency, a protest that does not state a valid basis for protest. 4 C.F.R. § 21.3(f) (1985). In light of the above, we must conclude that PDI has not set forth a valid basis for protest.

The protest is dismissed.



Ronald Berger
Deputy Associate
General Counsel