

Support

DECISION



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

FILE: B-220122; B-220122.2 **DATE:** October 22, 1985

MATTER OF: Techniarts Engineers and Contractors;
Hamilton Communications Consultants,
Inc.

DIGEST:

Protest against an award to another firm at a higher cost is academic when the contract in question is terminated for the convenience of the government because the contracting agency determined after award that a significant amount of the work could be performed in-house at a substantial savings.

Two firms, Techniarts Engineers and Contractors and Hamilton Communications Consultants, Inc., protest the award of a contract to Northeastern Communications Concepts, Inc. under request for proposals No. 105-23-4-EA, issued by the United States Information Agency (USIA) for the design, construction and installation of radio broadcast studios.

We dismiss the protests.

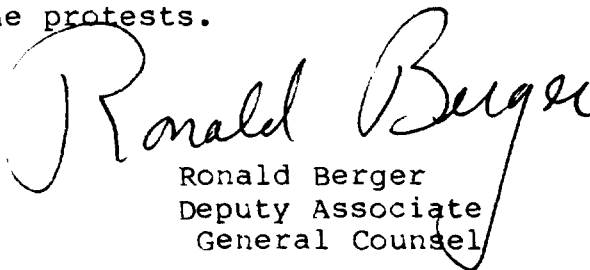
Both firms contend that they submitted acceptable technical proposals that were lower in cost than Northeastern's. They therefore question the legality of the award and request our Office to investigate the matter.

By letter dated October 4, 1985, the USIA advised our Office that on September 13 it had terminated the contract with Northeastern for the convenience of the government. The agency states that this action resulted from its determination that a significant amount of the work called for by the contract could be performed in-house at a substantial savings. The agency also indicates that it "remains to be decided" whether it may find it necessary or advisable to have any portion of the work performed by a contractor.

033524

Since the contract has been terminated for the convenience of the government, Techniart's and Hamilton's protests concerning the propriety of the award to Northeastern are academic, and we will not consider them. Midwest Holding Corp., B-219926, Sept. 26, 1985, 85-2 CPD ¶ _____; Hill Aviation Logistics, B-218824, May 16, 1985, 85-1 CPD ¶ 560.

We dismiss the protests.


Ronald Berger
Deputy Associate
General Counsel