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Decision

Matter of: Global Solutions Network, Inc.

File: B-299424

Date: April 20, 2007

Gerald H. Werfel, Esq., Pompan, Murray & Werfel, PLC, for the protester.
David T. Copenhagen, Esq., and Mary C. Schaffer, Esq., Bureau of the Public Debt, Department of the Treasury, for the agency.
Peter D. Verchinski, Esq., and John M. Melody, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Cancellation of solicitation was unobjectionable where agency reasonably determined solicitation may no longer accurately reflect its needs.

DECISION

Global Solutions Network, Inc. protests the cancellation of request for proposals (RFP) No. BPD-06-R-0015, issued by the Department of the Treasury, Bureau of the Public Debt (BPD), for administrative and clerical support services. Global asserts that the cancellation lacked a rational basis.

We deny the protest.

The Bureau of the Public Debt awards and administers contracts on behalf of Treasury's FedSource branch offices, which operate as part of the agency's franchise fund. The franchise fund primarily provides contracting services (including administrative and financial services) to federal agencies on a reimbursable basis. The RFP, issued on May 30, 2006, contemplated multiple awards of indefinite-delivery/indefinite-quantity contracts for a base period, with 5 option periods, for support services to be provided under FedSource's Administrative/Clerical and Light Industrial business line. Work under the RFP was to be obtained through task orders that would specify the task, location, service to be provided, period of performance, and performance measures. RFP at 2.

Global timely submitted a proposal by the July 21 closing time. According to the contracting officer, as proposals were being evaluated in October, a working group was established within the agency to consider FedSource's future. Contracting

Officer's Statement at 2. The working group debated the agency's continued support of FedSource, and established a timeline of 1 year to determine the fund's future and the contract needs for BPD. Id. On January 24, 2007, due to the possibility that BPD would not support FedSource beyond 1 year, the contracting officer decided to cancel the solicitation rather than further delay the proposal evaluation. Id. Specifically, the contracting officer justified the cancellation on the basis that the "foundation of the acquisition plan had been undermined," and that the agency had existing contract vehicles to cover FedSource's contracting requirements in the short term. Id. at 3. This protest followed.

Global challenges the agency's rationale for canceling the RFP. The protester asserts that the purpose of the solicitation is to provide the administrative, clerical and light industrial needs of customer agencies, and that this need still exists.

Cancellation is appropriate where an agency conducts a reassessment that suggests the solicitation may not reflect its needs, such that the agency is uncertain whether the requirement will exist in the future. Peterson-Nunez Joint Venture, B-258788, Feb. 13, 1995, 95-1 CPD ¶ 73 at 4-5. This is the case here. BPD's review brought into question whether it would continue to support FedSource; since this uncertainty could be resolved in favor of discontinuing the relationship--in which case the services covered by the RFP would no longer be required--it provided a reasonable basis for the agency to cancel the solicitation. While, as the protester argues, the services that would be provided under this contract will still be needed by customer agencies in the future, it is BPD's need for these services to support the FedSource program--not the government's needs as a whole--that is controlling for purposes of determining whether the cancellation was permissible. Again, since, based on BPD's review, it was questionable whether the agency would continue to need the services under the RFP, the agency had a sufficient basis to cancel the solicitation. Id.; Dr. Robert J. Telepak, B-247681, June 29, 1992, 92-2 CPD ¶ 4 at 4.

The protest is denied.

Gary L. Kepplinger
General Counsel