

DECISION



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

*Billard
Transp.*

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FILE: B-192476

DATE: September 26, 1979

MATTER OF: Schurr Transport, Inc.

DIGEST:

1. Protest of invitation which has been canceled is moot.
2. Protester's request that existing agreements be continued not for resolution by GAO.

Schurr Transport, Inc. (Schurr), has protested various aspects of an unnumbered invitation by Defense Logistics Agency (DLA) to submit rates for the local drayage of fresh fruits and vegetables for the period of September 1, 1978, to August 31, 1979, from Terminal Market, Philadelphia, Pennsylvania, to Camden Refrigeration Terminal, Camden, New Jersey.

Specifically, Schurr alleges that DLA has no authority to invite bids; bid specifications are inadequate; and that the rate tender under which service would be offered would result in the submission of unrealistic rates and service requirements that would be impossible of performance.

Schurr represents that under agreements with vendors, which are allegedly controlled by DLA, it is providing the service which is the subject of the invitation, and that these agreements do not expire until August 11, 1979.

Schurr requests that the invitation be canceled and that existing agreements be continued.

We are advised by DLA that the invitation in question has been canceled. The protest of the invitation is therefore moot and we will take no further action thereon. See Hewitt Construction Corporation, B-190909, May 11, 1978, 78-1 CPD 363, and Young Engineering Systems, B-189322, July 11, 1977, 77-2 CPD 15.

We must decline to consider the protester's request that current agreements with vendors be continued, because the matter is not for resolution under our Bid Protest Procedures, which are reserved for considering whether an award or proposed award of a contract complies with statutory, regulatory or other legal requirements. See C. G. Ashe Enterprises, Inc., B-191848, May 19, 1978, 78-1 CPD 388.

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The protest is dismissed.

Paul G. Dembling
Paul G. Dembling
General Counsel