

DECISION



24164 <sup>viden</sup>  
THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

FILE: B-210246

DATE: February 1, 1983

MATTER OF: CACI, Inc.

DIGEST:

Protest filed in GAO is dismissed where material issues protested are before a court of competent jurisdiction and the court has not indicated interest in a GAO decision.

CACI, Inc. (CACI), protests the award of a contract by the Department of Justice (DOJ) under request for proposals (RFP) No. JRATR-82-R-0056 to any firm other than CACI. CACI protests that DOJ's evaluation of CACI's proposal was improper because the discussions of its technical proposal were inadequate, DOJ's evaluation indicated bias against an award to CACI, and one DOJ evaluator of CACI's proposal may not have been impartial.

While the protest was pending with our Office, CACI filed suit against the Government in the United States Claims Court in Washington, D.C. (Civil Action No. 1-83C). We have been advised that the bases for the suit are substantially the same as those presented to our Office in the protest.

It is the policy of our Office not to decide protests where the material issues are pending before a court of competent jurisdiction unless the court requests, expects or otherwise expresses an interest in our decision. 4 C.F.R. § 21.10 (1982). DOJ advises that the claims court has not expressed any interest in our decision.

Therefore, we dismiss the protest. Space Age Engineering, Inc., B-205594, January 18, 1982, 82-1 CPD 40.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel

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