



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter: Somera Construction Co., Inc.

File: B-259799

Date: December 28, 1994

DECISION

Somera Construction Co., Inc. protests the rejection of its bid by the Department of the Army under invitation for bids No. DACA09-95-B-0002.

The protest, as filed with our Office, does not establish a basis for challenging the agency's action and, accordingly, must be dismissed.

The jurisdiction of our Office is established by the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988). Our role in resolving bid protests is to ensure that the statutory requirements for full and open competition are met. Brown Assocs. Mgmt. Servs., Inc.—Request for Recon., B-235906.3, Mar. 16, 1990, 90-1 CPD ¶ 299.

To achieve this end, our Bid Protest Regulations require that a protest include a detailed statement of the legal and factual grounds of a protest, 4 C.F.R. § 21.1(c)(4), and that the grounds stated be legally sufficient. 4 C.F.R. § 21.1(e). These requirements contemplate that protesters will provide, at a minimum, either allegations or evidence sufficient, if uncontradicted, to establish the likelihood that the protester will prevail in its claim of improper agency action. Robert Wall Edge—Request for Recon., 68 Comp. Gen. 352 (1989), 89-1 CPD ¶ 335.

Somera only states that it is "filing a protest regarding the decision . . . rejecting our bid." This protest does not include sufficient factual information to establish the likelihood that the agency here violated applicable procurement laws or regulations. Therefore, it must be dismissed without further action.

Ronald Berger
Associate General Counsel