



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Nomura Enterprise, Inc.

File: B-260977

Date: May 5, 1995

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### DECISION

Nomura Enterprise, Inc. protests the intended sole-source solicitation of Barnes and Reinecke, Inc. by the Department of the Army under request for proposals (RFP) No. DAAE20-95-R-0101, as synopsized in the Commerce Business Daily (CBD).

The protest is dismissed because it merely anticipates improper action that has not yet taken place. The Army has notified our Office that the sole-source solicitation is under consideration and has not received final approval. If and when the procurement is approved on a sole-source basis, the Army intends to resynopsize it in the CBD.

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. Management Servs., Inc.--Request for Recon., B-235906.3, Mar. 16, 1990, 90-1 CPD ¶ 299.

Protests that merely anticipate improper agency action are speculative and premature. See General Elec. Canada, Inc., B-230584, June 1, 1988, 88-1 CPD ¶ 512. Consequently, there is no basis for us to consider the protester's claim at this time. If, in the future, the agency takes concrete action that may properly form the basis for a valid bid protest, the protester may file with our Office at that time.

A handwritten signature in black ink, appearing to read "John M. Melody".

John M. Melody  
Assistant General Counsel