



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: HyPower, Inc.

File: B-270095

Date: November 20, 1995

DECISION

HyPower, Inc. protests the Federal Aviation Administration's award of a contract for installation of a REIL System to JACO Electric pursuant to solicitation No. DTFA06-95-Q-50073.

The protest is dismissed because the agency is terminating the awardee's contract and resoliciting the procurement.

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.

When an agency terminates an awardee's contract and resolicits for its needs, the agency action renders the instant protest academic. Since it is not our practice to consider academic questions, see East West Research Inc.-Recon., B-233623.2, Apr. 14, 1989, 89-1 CPD ¶ 379, the protest is dismissed.

Comptroller General
of the United States

Copy of Decision sent to [unclear] 12/1/95

065225/155704