



The Comptroller General  
of the United States

Washington, D.C. 20548

Westfall

## Decision

Matter of: Aguirre Architects, Inc.--Request for  
Reconsideration  
File: B-230256.2  
Date: May 19, 1988

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### DIGEST

General Accounting Office's authority to decide bid protests encompasses only protests relating to particular procurements; protest of agency's general practices will therefore not be considered.

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### DECISION

Aguirre Architects, Inc. requests that we reconsider our decision to dismiss its protest as academic under request for proposals (RFP) No. DACA63-88-R-0050, issued by the United States Army Corps of Engineers, Fort Worth District for design of a recreation complex at Toledo Bend Reservoir in Louisiana. The solicitation was issued under the Brooks Act, 40 U.S.C. §§ 541-544 (1982), which prescribes procedures for acquiring architect-engineering services.

Aguirre protested the elimination of its proposal from consideration on the basis that it did not have in-house civil and structural engineering capabilities, arguing that the Commerce Business Daily (CBD) announcement for the project had indicated that these capabilities could be provided through association with qualified consultants. We dismissed Aguirre's protest as academic after the Corps reported to us that it agreed that the elimination of firms without in-house civil and structural engineering was improper and stated that the proposals would be reevaluated. In its request for reconsideration, Aguirre contends that we should not have dismissed its protest as academic since the relief proposed by the agency was not the relief that it had requested. We deny the reconsideration request.

Aguirre's point seems to be that it objected not merely to the Corps' actions under this particular procurement, but also to the agency's practices in general, which the

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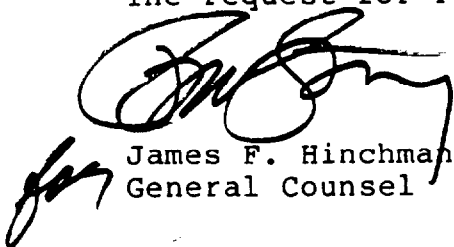
protester argues eliminate small business firms from competition. In this regard, it requested an investigation of the Corps.

We cannot in the abstract consider Aguirre's objection to the Fort Worth District's general practices since our bid protest resolution function encompasses only objections which relate to particular procurements. 31 U.S.C. § 3551 (Supp. III 1985); see Ferrite Engineering Labs, B-222972, July 28, 1986, 86-2 CPD ¶ 122. To the extent that Aguirre is complaining about actions the Corps may take under future procurements, the matter is premature. We will consider only protests involving solicitations already issued and awards made or not made under these solicitations. Allied Precious Metals Recycling Co.--Reconsideration, B-227126.2, June 18, 1987, 87-1 CPD ¶ 611. Since in this case the agency took appropriate action to remedy the problems raised by the protester regarding this procurement, further consideration of the protest would serve no useful purpose. The protest was therefore properly dismissed. See American Overseas Book Co., B-227835, July 17, 1987, 87-2 CPD ¶ 60.

Aguirre also complains that although the Corps states in its report that it eliminated from consideration all firms without in-house civil and structural engineering capabilities, the documentation furnished by the agency with the report reveals that one of the firms that it accepted for negotiations does not have these capabilities. Aguirre makes no argument as to the significance of this inconsistency, and it is not clear to us why it is relevant. To the extent that the protester is objecting to the Corps' failure to apply its own evaluation criteria consistently, we again note that the Corps has indicated that it intends to reevaluate the proposals.

Finally, with respect to Aguirre's assertion that an investigation of the Corps is needed, we point out that generally it is not our practice to conduct investigations pursuant to our bid protest function. Electra-Motion, Inc., B-229671, Dec. 10, 1987, 87-2 CPD ¶ 581.

The request for reconsideration is denied.

  
James F. Hinchman  
General Counsel