



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Access Innovations, Inc.

File: B-232510

Date: October 4, 1988

DIGEST

Where no solicitation has yet been issued, protest against anticipated procurement is premature and, therefore, not for consideration under Bid Protest Regulations.

DECISION

Access Innovations, Inc. protests to our Office alleging that UNICOR, Federal Prison Industries, Inc. (FPI) improperly proposes to award a contract for the data conversion of patents for the U.S. Patent and Trademark Office on a sole-source basis. The protester states that FPI would award the contract pursuant to an inter-agency agreement with the Patent and Trademark Office.

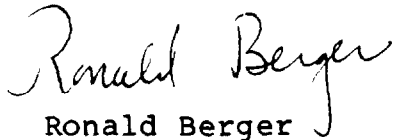
FPI has informed our Office that it has not yet signed an inter-agency agreement and does not currently have a solicitation or any other type of procurement action in process. FPI has indicated further that once an agreement is reached it anticipates that it may issue a solicitation on a competitive basis at that time.

Since no solicitation has yet been issued, any protest concerning it is premature.^{1/} T.J. O'Brien Co., Inc.--
Reconsideration, B-228224.3, Dec. 31, 1987, 88-1 CPD ¶ 4.
Under our Regulations, we consider protests involving solicitations already issued by federal agencies and awards

^{1/} The protester enclosed a copy of a proposal it alleges it submitted to UNICOR. We have been advised by the agency that it did not receive a proposal and that it will not consider proposals until an agreement is reached to permit it to contract the requirement and conduct a competition.

made or proposed to be made under those solicitations.
4 C.F.R. § 21.1(a). In this case, then, FPI has not done
anything that properly can be the subject of a bid protest.
Id.

The protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger".

Ronald Berger
Associate General Counsel