



Comptroller General  
of the United States

25966

Washington, D.C. 20548

# Decision

**Matter of:** Erin Services, Inc.

**File:** B-261165

**Date:** June 6, 1995

## DECISION

Erin Services, Inc. protests that the terms of request for proposals (RFP) No. N00604-94-R-0090, issued by the Department of the Navy for mess attendant services, are overly vague. This protest is academic because the agency has amended the solicitation to address Erin's concerns.

Erin protested that when the agency amended the RFP to provide answers to questions that had been raised by potential offerors, two of the questions were not fully answered. After receiving the protest, the agency issued another amendment, providing more complete answers to the questions that Erin had protested, and establishing the new closing date for receipt of proposals as May 19. This amendment appears to have satisfied Erin's concerns.<sup>1</sup>

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. 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.--Recon., B-235906.3, Mar. 16, 1990, 90-1 CPD ¶ 299.

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<sup>1</sup>If Erin's concerns were not satisfied by the amendment, the firm should have filed a new protest based on its complaints regarding the amendment; however, any protest based on this amendment had to be filed by the new closing date in order to be timely. See Bid Protest Regulations, 4 C.F.R. § 21.2(a)(1) (1995).

We will not consider protests where the issue presented has no practical consequences with regard to an existing federal government procurement, and thus is of purely academic interest. Here, since the protested terms have been replaced by amendment, the protest is dismissed.



John Van Schaik  
Acting Assistant General Counsel