

David Hasfurth



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: El Dorado Engineering Inc.

File: B-261575

Date: July 13, 1995

DECISION

El Dorado Engineering Inc. protests the rejection of its proposal under request for proposals No. DACA01-95-R-0063, issued by the Department of the Army for the architect-engineer design of waste incinerators at the Milan Ammunition Depot, Tennessee.

The contracting officer has determined that all proposals should be reevaluated so as to ascertain and document their acceptability. Accordingly, since no final decision has been made as to the acceptability of proposals, we dismiss El Dorado's protest against an improper agency action which at this point has not occurred.

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.

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.

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