



Comptroller General
of the United States

Washington, D.C. 20548

Paul Liberman

Decision

Matter of: Integrity Works-Claim for Costs

File: B-258818.2

Date: September 6, 1995

DECISION

Integrity Works requests that we determine the amount that it is entitled to recover from the Department of the Army for the costs it incurred in filing and pursuing its protest in Integrity Works, B-258818, Feb. 21, 1995, 95-1 CPD ¶ 98. Integrity had protested the rejection of its bid as nonresponsive for lack of a valid bid bond under invitation for bids No. DACA83-94-B-0064. We sustained the protest because we found that the agency lacked a reasonable basis for its determination that Integrity's bid bond was defective.

We dismiss the claim as academic.

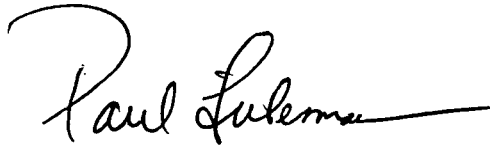
At the time that Integrity filed its claim for costs with our Office, more than 90 days had passed since it had submitted its certified claim of \$5,319.55 to the Army, and the Army had not yet paid or rejected the claim. Integrity included a copy of its claim and requested a determination of entitlement to an additional \$500.00, representing the costs of pursuing its claim here. Subsequently, the protester and the agency executed a bi-lateral modification of Integrity's contract (No. DACA83-95-C-0008) providing for an increase in the contract price of \$5,319.55. The modification also provided that this price increase represented a full and final settlement of Integrity's claim for costs of pursuing its original bid protest and the instant claim for costs.

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.

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The General Accounting Office will not consider matters where the issue presented has no practical consequences with regard to an existing federal government procurement, and thus is of purely academic interest. Inasmuch as Integrity has settled its cost claim with the agency, the claim is academic.

The claim for costs is dismissed.

A handwritten signature in black ink, appearing to read "Paul Lieberman", with a long horizontal flourish extending to the right.

Paul Lieberman
Assistant General Counsel